

LOCAL GOVERNMENT SERVICES IN INDIA :  
A CASE STUDY OF PUNJAB, 1860- 1960.

by

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### Abstract

After independence, local government in India has become grass-roots democracy and an agency for providing not only civic amenities but also for planning and executing the development and welfare programmes. Urban and rural local bodies have accordingly been democratised and the latter entrusted with vast powers. Their success will, however, depend, among other things, on the efficiency of the local government services which in turn will be determined by their professionalisation, recruitment on merit, adequate training, and attractive service conditions.

In this thesis various aspects of the services of both the urban local bodies and the Panchayati Raj institutions in the Punjab have been analysed in order to find out whether they possess the characteristics referred to above. Comparisons have also been made with the British local government service wherever necessary.

The study comprises nine chapters. Chapter I is a brief introduction of the scope and methods of study. Chapter II traces the historical evolution of local government in the Punjab. Chapters III and IV discuss the structure of urban and rural local governments respectively. Chapters V to VIII deal with recruitment, training, conditions of service with emphasis on pay, promotion, security, and

retirement; rules of conduct, disciplinary procedure, integrity and trade unionism. The concluding chapter contains the main findings.

The results of the investigation indicate that the essentials of an effective service are not yet established in the local government services in the Punjab. Suggestions have, therefore, been offered to improve upon the prevailing state of affairs. Whitleyism which has largely contributed to the improvement of the service conditions of the local government employees in the United Kingdom may take a long time to be established in the Punjab, where the local authorities associations and employees' unions are yet in their nascent stage.



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D.R. Sachdeva.

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Explanatory Notes

1. The term 'Punjab' has been applied to the provinces of varying sizes before and after the British rule. This study pertains to the local government services in the Punjab:

- (i) as it existed upto 15th of August, 1947,
- (ii) the Indian portion of the partitioned Punjab between 15th August, 1947 and 1st November, 1956,
- (iii) the enlarged Punjab state after PEPSU (Patiala and East Punjab States Union) was merged into it on 1st November, 1956. <sup>1.</sup>

2. Certain abbreviations are employed in the text, such as:-

B.D.O.	Block Development Officer
B.D.P.O.	Block Development and Panchayat Officer
C.E.O.	Chief Executive Officer
D.D.P.O.	District Development and Panchayat Officer

- 
1. Since the study was undertaken Punjab state has been reorganised again on 1st, November, 1966. Hill Areas of Punjab contiguous to Himachal Pradesh and having linguistic and cultural affinity with it have been merged into Himachal Pradesh. The remaining territory has given birth to the Punjab and Haryana states on the basis of the predominance of population speaking Punjabi and Hindi languages respectively. Chandigarh which is a bi-lingual area has been made a union territory and is the seat of governments of Punjab and Haryana states.

E.O.	Executive Officer
M.O.H.	Medical Officer of Health
N.A.L.G.O.	National Association of Local Government Officers
P.R.	Panchayati Raj
S.E.P.O.	Social Education and Panchayat Officer
U.K.	United Kingdom
V.L.W.	Village Level Worker

3. Works to which frequent reference is made are cited in the footnotes in the abbreviated form. Thus:

D.C.R.	Report (and Memoranda) of the Royal Commission on Decentralisation in India.
I.J.P.A.	Indian Journal of Public Administration.
I.S.C.	Indian Statutory Commission (Report, Memoranda, Evidence etc.)
Mehta Report	Report of the team for the study of Community Projects and National Extension Services (1957) under the chairmanship of Sri Balwantray Mehta.
P.M.A.	Punjab Municipal Act, 1911.
P.S.Z.P.A.	Punjab Panchayat Samitis and Zila Parishads Act, 1961.

## CHAPTER 1

### INTRODUCTION

The importance of Local Government can hardly be over-emphasised when we consider the range, the character and the impact upon the daily life of the citizen of the functions which local authorities carry out. Local Government provides public amenities and services which are necessary for the convenience, healthful living and welfare of the individual and the community. Breaking down of municipal services means the entire dislocation of social and economic life of the community. If these services were suddenly to cease, we should relapse into chaos. <sup>1.</sup>

Local government is not to be merely conceived as one of several convenient agencies for the administration of public services, it is indispensable to achieve the decentralisation of political power and promotion of democratic values. The local government institutions are based on the principle of division of labour. They are indispensable because the aggregate duties of government and local authorities can thus be shared. <sup>2.</sup> The administration from without lacks the vitalising

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1. J.H. Warren, The Local Government Service, (1952), p.5.

2. J.S. Mill, Considerations on Representative Government, (1865), p.213.

ability to be responsible to public opinion. It cannot grasp the genius of the place. Local Government is therefore educative in perhaps a higher degree than any other part of government.<sup>1</sup> Many architects of India's independence served a period of apprenticeship in local government institutions, and therefore its utility in a growing democracy like India is well established. The Constitution of India aims at the establishment of a welfare state and strengthening of local government may ensure its proper achievement. The welfare services of the modern state, in view of the flexible technique of administration they require, are essentially municipal in principle and practice.<sup>2</sup>

After the inauguration of a new constitution embodying the principles of democracy and welfare state, local government has therefore assumed an increasing importance in the political and administrative system of India. It has been realised progressively that local government has to be definitely recognised as (a) a system of grass-roots democracy upon which depends to no small measure, the success of national democracy, (b) as an agency for providing not only services for the convenience and welfare of the local people but also for carrying out the tasks of development and planning.

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1. Harold Laski, Grammar of Politics, (1950), p.212.

2. M.P. Sharma, Local Self-Government in India, (1965), p.2.



As a result of this thinking far reaching reforms and changes have been introduced in local government during the last few years. The primary emphasis has, however, been on laying down a viable and virile system of local government in the rural areas and only minor changes have been made in the system of urban local government. In other words, the rural sector has engaged the main attention of the government. The Constitution of India enjoins upon the State to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self government <sup>1</sup>. but makes no mention of municipal government.

In pursuance of this directive, village panchayats were set up in almost all the states. The Community Development Programme was introduced in 1952 to bring about all-round improvement in rural India. In the first two Five Year Plans <sup>2</sup>. rural areas have been involved in national planning and development but the urban areas have been, by and large, left out of the mainstream of the development process. During the First Five Year Plan the community development was declared the method, and national extension, the agency, through which the plan sought to initiate a process for transforming the social and

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1. The Constitution of India, (1950) Article (40).

2. The process of formulation of 'Five-year Plans' was initiated in 1951. The Planning Commission has been formed as a statutory body which frames, co-ordinates and reviews the progress in Central as well as State governments welfare activities.

economic life of the villagers.<sup>1.</sup> This policy was reaffirmed during the Second Five Year Plan wherein the national extension service and community projects were desired to be strengthened in order to meet the aspirations of the countryside.<sup>2.</sup> As a result of the Report of the Study Team for Community Development and National Extension Service (1957) Panchayati Raj institutions have been set up in the rural areas and large powers to plan and execute the development work entrusted to them. Certain financial assistance has also been made available to them which is denied to the urban areas.

This emphasis on the expansion and strengthening of rural local government may be attributed to (i) that local government was first introduced in cities and towns alone to suit the European commercial activity and the villages in which India very largely lives<sup>3.</sup> had long been neglected with impunity and denied even the most elementary amenities of life and (ii) that after 1920 the Indian National Congress started laying greater emphasis on the development of rural areas. Consequently the terms like 'village swaraj'<sup>4.</sup> were coined which in fact denoted village reconstruction.

1. Government of India, Planning Commission, First Five Year Plan, (1951), p.223.

2. Government of India, Planning Commission, Second Five Year Plan, (1956), pp.235-36.

3. The percentage of rural population is 82.03 against 17.97 of urban population according to Census of India (1961)

4. Word 'Swaraj' literally means 'self rule'.

The rural community was made the centre of constructive programme. Institutions like Khadi Village Industries, Harijan Sewa Mandals and Basic Education centres were made a part of village reconstruction movement. The community projects and establishment of Panchayati Raj are the fulfilment of the general national movement and represent the continuity of the forces released by the Congress in and through the constructive programme. <sup>1</sup>.

There has been a rapid growth of towns and cities in India during the last decade as a result of industrialisation, spread of education and the comparative attractiveness of town life to the rural people. The urban population increased from 62.28 millions in 1951 to 78.84 millions in 1961. <sup>2</sup>. The urban areas which were already not well supplied with civic services for the convenience and welfare of their inhabitants, are now facing the growing challenge of the problems of expanding slums and squalor, acute shortage of housing and building plots of land, inadequacy of transport system, shortage of water supply, inadequacy of schools, highly insanitary conditions etc. It was briefly recognised in the Third Five Year Plan that the problems of urban areas needed attention on the part of state governments, municipal bodies and the people. It was therefore recommended in the Plan that municipal administration should be strengthened for undertaking

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1. Government of India, Publications Division, Kurukshetra (1955), p.24.

2. Census of India, 1951 and 1961.

new developmental responsibilities.<sup>1.</sup> The plan also allocated a sum of five million rupees for starting a series of pilot projects for urban community development and a sum of fifty million rupees for giving assistance for the preparation of master plans of metropolitan cities, state capitals, port towns, industrial centres and resource regions. The Fourth Five Year Plan contemplates completion of plans taken up during the third plan period. In addition, it provides for the preparation of plans of about 52 class I and 105 class II urban centres<sup>2.</sup> and 99 tourist/pilgrim places. The plan also proposes the expansion of the urban community development programme and calls for the intensification of efforts for greater citizen participation in community development work both to tackle the growing problems of the city life and to ensure successful implementation of urban development plans.<sup>3.</sup>

Local government both in urban and rural areas has thus to shoulder manifold and complex responsibilities.

The central and state governments are conscious of the shortcomings from which local government suffered in the past. They

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1. Government of India Planning Commission, Third Five Year Plan, (1961), p.690.

2. Urban centres with a population of 100,000 and above are designated as class I and those between 50,000 and 100,000 as class II in the Census of India, 1961.

3. Government of India, Planning Commission, Fourth Five Year Plan, (1966), p.356.

have therefore been trying to understand them by instituting several enquiries and studies.<sup>1.</sup> The Central Government, for instance, set up the Local Finance Enquiry Committee (1951) and the Taxation Enquiry Commission (1954) to examine the problems of finances of urban local bodies. A Central Council of Local Self Government<sup>2.</sup> was established in 1954 to consider and recommend broad lines of policy and draw up a common programme of action to promote local self-government throughout India. The council set up a committee on Augmentation of Financial Resources of Urban Local Bodies in 1962. The Balwantray Mehta Committee (1957) was constituted to review the working of community development programmes in the country. The Study team on Panchayati Raj Finances was set up in 1963 and a Committee on Panchayati Raj Elections in 1964.

The state governments are equally interested in the growth of local government. The Punjab Government issued a white paper in

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1. A comprehensive catalogue of recent development in thought concerning rural local government since 1948 in chronological order is given in the Report of a seminar on The Pattern of Rural Government, published by Indian Institute of Public Administration, New Delhi, (1958), p. 80-94.
  2. The Council includes the Union Minister for Health as its chairman and the state ministers for local self-government as members. Following the transfer of Panchayati Raj institutions to the Ministry of Community Development in 1961 the scope of work of the council was limited to urban local bodies vide Ministry of Health, Order No.F-18-48/60-LSG dated 13th March, 1961.

1955 on the reorganisation of rural local government. It set up Local Government (Urban) Enquiry Committee earlier in 1954 to suggest ways and means for better functioning of urban local bodies. Last year it constituted a Study team on Panchayati Raj to look into the various problems concerning the development of Panchayati Raj and its various institutions in the state.

Local government services have, however, not yet received enough attention of the central or state governments and therefore no exclusive study of this aspect of local government has been made so far. The staff is the spinal cord of the whole organisation and the success or failure of local government will almost entirely turn upon its quality. <sup>1</sup>. 'The modern administrative official contributes expertise, permanency and the guarantee of impartial advice and execution which no other agency of government can give. <sup>2</sup>. 'The lack of any sort of adequate local government service therefore provides one of the chief reasons for the poor showing of many local bodies.' <sup>3</sup>.

Local government services especially the P.R. services are new in India and therefore without any tradition of their own. They lack the characteristics of a service in the true sense of the term. There are as yet no standards of ethical or occupational conduct,

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1. Henry Maddick, Democracy, Decentralisation and Development, (1963), p.179.

2. Herman Finer, English Local Government, (1951), p.282.

3. Hugh Tinker, Foundations of Local Self-Government in India, Pakistan and Burma, (1954), p.340

training, qualifications, remuneration, classification and grading of staffs, and common service conditions. The essential ingredients of an effective service like recruitment by merit, security of tenure, political neutrality and integrity are not yet established in them.

Conditions were no better in U.K. in the early years of this century. The first independent survey<sup>1.</sup> of local government services made by Professor Robson reveals the same story.

But ultimately the local government service has come to be viewed in U.K. as a service with national standards of recruitment, qualifications, salaries and conditions of service. The process was long and arduous and beset with numerous obstacles. Each local body having a varied size worked as an isolated unit. Few of them introduced grading schemes or salary scales for their own staff, any orderly system of recruitment or personnel management. Under the same kind of authorities, the conditions of service differed. No arrangements were made to provide professional training to their employees. The Government also remained indifferent.

The impetus to bring about the desired transformation came from the local government officers themselves who started a movement to establish their own institutions for conferring qualifications by examination in the absence of any method of recruitment based on

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1. W.A. Robson, From Patronage to Proficiency in the Public Service (1922), pp.30-33.

officially controlled qualifying tests. They were motivated to do so by the desire to abolish patronage and to improve the status of the various grades by eliminating the untrained. The next phase came with the establishment of trade unionism which began with the formation of the National Association of Local Government Officers (NALGO) in 1905. NALGO's membership was open to all local government employees excluding the manual workers. This organisation helped in the passage of Local Government Superannuation Act, 1922.

Earlier in 1917 came the Whitley Report which suggested the establishment of a standing machinery in which organisations of the employers and employees would participate regularly to adjust employer-employee relations. NALGO was convinced of the suitability of whitleyism in the local government field also. In 1934, NALGO's work was powerfully aided due to the Report of Hadow Committee on the qualifications, recruitment, training and promotion of local government officers. This was the first occasion on which the staffs of local authorities had been subjected to official investigation by the Central Government.<sup>1</sup> The report undoubtedly revealed an improvement in the general calibre and standards of local government officers since the state of affairs first surveyed by Professor Robson. It, however, called for further improvement and made several recommendations in this regard.

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1. W.A. Robson, The Development of Local Government, (1954), p.349.



A National Joint Council was ultimately set up. It consists of the representatives of all types of local authorities and the various unions of local government employees. A National 'Scheme of conditions of service' of local authorities' administrative, professional, technical and clerical services was formulated and accepted by the National Joint Council on 30th January, 1946. The scheme is generally known as the "charter of the local government service" <sup>1.</sup> and has been adopted by practically all local authorities. We shall revert to the various features of this scheme at the appropriate places while making a comparative study of the methods and machinery of creating suitable conditions of service for local government services in the Punjab.

The improved local government service-structure in U.K. and the manifold shortcomings of their counterparts in India aroused the interest of the author to undertake a case study of local government services <sup>2.</sup> in the Punjab.

Town and village are two distinct entities in India. They have different needs and problems. The main requirements of towns are the provision of housing, transport, communications, water-supply, sanitary conditions, community centres, slum clearance and town planning while main emphasis in the village has to be on improvement of agriculture,

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<sup>1.</sup> W.A. Robson, op.cit., (1954), p.353.

<sup>2.</sup> Local Government Services refer to those employees of urban and rural local bodies whose duties are of an administrative, professional, technical and clerical nature and exclude manual workers.

irrigation facilities, animal husbandry, village industries and the like. The personnel of urban local government and Panchayati Raj institutions would thus require specialised training to cater to the specific needs of urban and rural areas respectively. The study, therefore, emphasises the need for two distinct sets of personnel requirement for the urban and rural local bodies.

Discussion in this thesis focusses on the evolution of local government in Punjab, the organisational and administrative structure of urban and rural local government; the recruitment, training, conditions of service, conduct and discipline of local government services, all of which in their totality would determine their efficiency and earn them a status as members of a profession.

The results of the investigation indicate that the municipal service in the Punjab lacks miserably the essentials of an effective service; the Panchayati Raj service though prescribes qualifications, provides for training and uniform pay scales, yet leaves much to be desired in these aspects also; the local government service in U.K. is primarily a product of whitleyism which will take a long time to be established in the Punjab where the local authorities associations and employees' unions are yet in their nascent stage; legislative measures will therefore be indispensable to achieve the desired results. The thesis can lay no claims to any novel views or even originality of the treatment of the subject. It, however, makes

the following distinct contributions to the knowledge of public administration:-

- (i) It is the first ever exclusive study of the local government services, both urban and rural relating to Punjab.
- (ii) Unpublished material particularly the records of the Department of Local Self Government and the local bodies has been scrutinised for the first time.
- (iii) The shortcomings of the municipal and Panchayati Raj services have been explored with suggestions for their improvement.

The author has experienced great difficulties in marshalling relevant information for this research. There is a dearth of published material on local government services in India in general and in Punjab in particular. Even the annual administration reports on the workings of municipal committees and Panchayati Raj institutions give very little insight into the workings of municipal councils and Panchayati Raj bodies and contain hardly any information about the strength of the various kinds of staff they employ and the terms and conditions of their service. The requisite information (which forms the basis of discussion in major portions of the thesis) was therefore collected through intensive field work which the author undertook from January 1966 to November 1966.

The field work comprised:

- (i) Collection of information through a questionnaire  
(Appendix I);
- (ii) study of government notifications, administrative correspondence and official records in the government secretariat and the offices of the municipal and Panchayati Raj institutions;
- (iii) discussions and interviews with the government officers and the officials and non-officials of the local bodies;
- (iv) participation as an observer in (a) various meetings of municipal committees and the Panchayati Raj institutions  
(b) the annual conferences of the municipal employees' unions, of urban local authorities, and of the Panchayati Raj representatives;
- (v) observation of the working of the training centres for municipal employees and Panchayati Raj personnel.

## CHAPTER II

### EVOLUTION OF LOCAL GOVERNMENT IN THE PUNJAB

Punjab has a long tradition of urban civilization dating back to 1500-2500 B.C. when municipal administration of some sort flourished in Harappa.<sup>1</sup> Megasthenes had described that municipal organisations were prevalent during the Maurya period. During Mughal and Afghan times (1526-1802) the local administration was centred round the office of the 'Kotwal'<sup>2</sup> who was entrusted also with the performance of certain municipal functions. But whatever municipal administration existed in the past it functioned either as a dependent body of the central administration or was subject to its rigorous control. The people were thus not associated with the management of **civic** affairs.

In the villages the panchayats enjoyed almost complete autonomy in matters of local administration but the famous picture of 'Little Republics' drawn by Metcalf was hardly applicable to the whole of the country. At most places, the panchayat was little

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1. Stuart Piggot, Prehistoric India to 1000 B.C., (1962), p.259.

2. 'Kotwal' used to be a general administrator performing the duties of police as well.

more than a committee of village-elders whose functions varied widely in proportion with the status of the village concerned.<sup>1.</sup> During the Mughal and Afghan periods the Panchayat in the Punjab had lost its administrative functions and become an executive committee of the village community in purely social affairs.<sup>2.</sup>

Between the disintegration of the Mughal empire and the advent of the British, feudalism continued in most parts of the country. During this period, the ties of social frame-work were loosened and in many places, local institutions had been perverted or sapped before the British officials had any opportunity to assess their administrative and social value.

The local institutions, as they exist today do not represent a process of continuous growth. They are the products of convenience required to suit the administration. The present local government is thus unlinked with indigenous local institutions. "The 'chungli' of the Mughal rulers, the Sikh 'Dharat', the 'Muhtarfa' of Maratha towns have a descendant in today's octroi but from the structure and procedure of earlier local institutions almost nothing has been incorporated into modern local government. " <sup>3.</sup>

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- <sup>1.</sup> Lord Hailey, Foreword to Hugh Tinker's Foundations of Local Self-Government in India, Pakistan and Burma, (1954), p.xii.
  - <sup>2.</sup> Amar Nath, The Development of Local Self-Government in the Punjab, (1849-1900), (1929), p.4.
  - <sup>3.</sup> Hugh Tinker; Foundations of Local Self-Government in India, Pakistan and Burma, (1954), p.15.

The evolution of local government system under the British Rule passed through different phases. The process was based on the grant of powers and functions as well as elected representation to local bodies. In time sequence, these are:-

- (i) From the time of annexation of Punjab (1849) to Lord Ripon's Resolution of 1882;
- (ii) 1883 to the Reforms of 1919;
- (iii) 1920 to Independence (1947);
- (iv) Post-Independence period.

#### First Phase, (1849-1882)

The introduction of municipal institutions in Mofussil towns began with the Bengal Act of 1842. The Act was applicable only to Bengal. It proved inoperative since it was based on the voluntary principle and the taxation enforceable under it was of a direct nature. These problems led to the passage of Improvement in Towns Act, 1850 which was made applicable to the whole of India.

Though the Act still maintained the voluntary principle, it was more practicable as it made provision for the levy of indirect taxes to which the people were accustomed.

Punjab was annexed to the British in March 1849. Conditions remained unsettled for some time because of the problems arising out

of what is known as the mutiny (1857) to the British historian. The panchayat system had been revived during the regime of Ranjit Singh. The main duty of the Panches was to assist the revenue officers in the collection of taxes. They also associated with the authorities in maintenance of law and order. "Nowhere do we find any reference showing that they had also to look after the sanitation of their villages." <sup>1</sup>. The British Government ran into financial difficulties soon after they took over the province. They, therefore, introduced local taxation. The Board of Administrators in the Punjab introduced the chaukidari <sup>2</sup>. system in all the towns and villages. For this purpose a tax was levied on all the house owners. The tax-assessment was carried out by the government officials with the assistance of influential and loyal inhabitants of that locality.

In the course of time the house tax proved unpopular, it was, therefore, abandoned by 1851 and new taxes were imposed. <sup>3</sup>. After meeting expenditure on the maintenance of police, the balance of the

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1. Amar Nath, op.cit., p.5.

2. A 'chaukidar' is the first informant to the Police of occurrences in a village. He gets a small share out of revenue collection from the village as remuneration.

3. Administration Report, Punjab, 1851-52.



revenue was spent on municipal improvements by the committees <sup>1.</sup> comprising of European officials and the natives nominated by the government. Practically, however, very few Indians except Extra Assistant Commissioners were appointed, although in some instances, the town panches were associated with the committees. The beginning of local self government <sup>2.</sup> in the Punjab can be traced to the institution of these committees.

The development of this system during the first ten or twelve years of British Administration had however no connection with the action taken in isolated cases under the Improvement of Towns Act of 1850 under which Simla and Bhawani were the only municipal committees constituted up to 1860. <sup>3.</sup>

In 1861 the Lieutenant Governor felt that though the town committees were instituted by an executive order of the government and the taxpayers were consulted in respect of mode of taxation,

1. "These committees were not municipal committees in the proper sense of the term as they had no power of taxation and simply carried out local improvements under the supervision of the Divisional Commissioner; Resolution No.1777, Sept.7, 1862 of the Government of Punjab.
2. The term was used for the first time in the history of the Province in the Administration Report for the years 1849-51.
3. Report of the Judicial Commissioner of the Punjab, (1860).

they had no say in the municipal budgets. He, therefore, by a resolution of 1862 established municipalities in district headquarters and enlarged their powers. The municipal committees were to be composed of the people's representatives, elected annually by delegates or panchayats<sup>1.</sup> of trades and callings. They were to exercise real control over conservancy, drainage, water supply and construction of local buildings within the municipal areas. New local taxes and rates could be introduced only with the consent of the District Officer, who was to be their friend and adviser, and was to encourage them to act boldly and independently. The District Officer, however, could not overrule the decisions of the Committees without reference to the Commissioner of the Division.

In 1863 the Report of the Royal Army Sanitary Commission drew attention to the appalling unhealthy conditions of towns all over the country. The Government of India passed Municipal Acts for the various provinces including the Punjab Municipal Act of 1867. The Lieutenant Governor was authorised to establish a municipality wherever he found necessary. He was also to appoint members either ex-officio or otherwise, or direct the appointment

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1. A 'panchayat' in this sense means a 'guild'.

by election of any number of persons, (not less than five) to be members of the municipal committee. The Act empowered municipal committees to administer municipal funds. A fixed percentage of the tax was to be spent necessarily on the police. <sup>1.</sup>

In 1869, Lord Mayo inaugurated the policy of financial decentralisation and therefore transferred certain departments of education, medical services and roads to the provincial governments. The grants given to the provincial governments were smaller than the actual expenditure and they were required to meet the balance by local taxation. <sup>2.</sup> The central government emphasised the necessity of taking steps to bring local interest, supervision and care to bear upon the management of funds devoted to the departments mentioned above. The Punjab Municipal Act of 1873 was based on the above policy under which the powers of the municipal committees were enlarged and the elective system extended. In practice, this permissive legislation was not duly applied. It was only in the municipal committee of Dharamsala that the members were elected. In four more towns they were partly elected, and partly nominated, while in the remaining 192 municipalities the members were appointed by nomination. The provincial government exercised complete control

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1. P.M.A. 1867, Sec.5.

2. Government of India. Resolution No.3434 of 14th Dec. 1870.

over the municipal committees and they did no more than registering the orders of the Deputy Commissioner of the district. <sup>1</sup>.

Meanwhile, a parallel development of local institutions in rural areas was taking place. As the district magistrate was the keystone of revenue system, district was made the unit of local government. Local funds had been established for local improvements for some time but the levy of rates for local purposes was not authorised by statute in any part of India until 1865. The Punjab Local Rates Act of 1871 empowered the Lieutenant Governor to appoint committees consisting of official and non-official members in all districts under the presidency of the District Magistrate to administer land revenue cesses. But these committees were in fact nothing more than a convenience for the District Magistrate to supply information or to carry out miscellaneous duties. <sup>2</sup>. This Act did not go far as a measure of local self-government yet it proved of some service in improving the sanitary conditions of the area concerned. <sup>3</sup>.

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1. Administration Report Punjab, 1875-76, para.64.

2. Hugh Tinker, op.cit., p.39.

3. Report of the Local Finance Enquiry Committee, (1951), p.8.

A study of the various steps taken by the government in the sphere of institutions relating to local government during the period above would reveal:-

- (i) that these institutions were born out of financial convenience;
- (ii) that during all this period the emphasis was on the 'local', rather than on 'self-government';
- (iii) that the members nominated as well as elected, functioned more as tools of mutual benefit with the civil administration and vice versa;
- (iv) that there was greater emphasis on urban rather than rural institutions of local government.

#### Second Phase, (1883 to the Reforms of 1919)

The period is significant in the growth of local government because of Lord Ripon's Resolution of 18th May 1882 which formulated the following policy regarding future development:-

1. Political education is the primary function of local government, of greater importance than administrative efficiency.
2. Rural boards are to be set up similar to municipal boards. The unit of administration is to be small - the sub-division, tehsil or taluka (unit of administrative revenue collection)

3. All boards should contain a two-thirds majority of non-officials; these should be elected wherever possible; elections to begin immediately in more progressive towns; gradually and by informal experimental methods in smaller towns and the countryside.
4. Control should be exercised from without rather than from within; the chairmen of all local bodies should accordingly be non-officials wherever possible.<sup>1.</sup>

The finances of the local bodies were also taken into account. The major part of revenue being spent on the maintenance of police was now diverted to education, medical relief and local public works; and some items of provincial revenues suited to and capable of development under local management were to be transferred to the local bodies. The necessity of giving a greater share and powers to non-officials was further emphasised.

The Punjab Municipal Act of 1884 was the outcome of the resolution. The Act made provision for people's representation in the municipal committees. This measure was responsible for increasing the number of non-officials and elected members as is clear from the table below:

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<sup>1.</sup> Government of India Resolution No.171747-759 dated 18th May, 1882, paras 5 to 18.

TABLE 1

Comparison of non-official and elected members in  
the Municipal Boards in the Punjab in 1881-82 and 1891-92

Year	Total members	Nominated members	Elected members	Officials	Non-officials	Europeans	Indians
1881-82	2171	1497	674	692	1479	400	1771
1891-92	1656	851	805	314	1342	125	1531

The number of wholly or partly elected municipal boards and the number of non-official chairmen had also increased in 1885 as shown in table 2. below.

TABLE 2

Composition of Municipal Boards in 1885

Total No. of Municipalities	Percentage of Elected Members	Boards wholly or partly elected	Wholly nominated boards	CHAIRMEN	
				Official	Non-official
197	42.6	122	75	120	77

A notable development of this period was the emergence of the institution of communal electorates. This was originally intended to grant separate electorates and seats to muslims in local bodies on account of their socio-economic and educational backwardness,<sup>1</sup> but had subsequently to be conceded as a means of representation to the various religious communities. The municipalities of Lahore (1891) and Amristar (1895) were the first to be constituted on the system of communal representation.

The Punjab District Boards Act was passed in 1883 creating a two-tier system comprising (i) District Boards and (ii) Sub-district (Local) Boards based either upon the sub-division or tehsil. Although Lord Ripon's resolution had intended the District Boards as supervising and co-ordinating authorities only but in practice the local boards were reduced to their agents, performing merely routine duties in the absence of financial resources and other functions for which the District Boards themselves starved. The local boards were to consist of nominated as well as elected members. Those were to serve as an electoral college for returning one-half of the members of the District Board; the remainder being nominated by the government. The elctions to

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<sup>1</sup>. Proceedings of the Legislative Council of the Governor General of India, (1883), p.13.



local and district boards did not prove successful. The candidates for membership did not ultimately find it worth the labour. The nomination was ~~created~~<sup>viewed</sup> as a greater honour (as compared with) success in elections. Consequently nearly three-fourths of the seats were uncontested in 1890-91 and 275 vacancies attracted only 355 candidates. <sup>1.</sup>

District Boards functioned merely as petty departments of the district administration. Though they were responsible for an imposing number of public functions their share in these services was restricted to paying the bills only. They had almost no control over the raising of their own funds. They got a share out of the land revenue cess which was levied and disbursed by the government.

Elections did not prove popular in towns either. The electorate was minute, comprising only 2 per cent of the total urban population. The ballot was not secret. As was the case in District Boards, men of position preferred nomination. The reforms, therefore, though projected as early as 1882 failed to achieve what their author had desired. Thus, till 1909 the local government remained where it was placed by Lord Ripon a quarter of a century ago. In some places it had even been pushed back. This

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1. Punjab Administration Report, 1890-91

was brought to the notice of the Decentralisation Commission inter alia that in 1885, Punjab had 77 non-official chairmen as compared with 29 at the turn of the century.

Further, there was so much control from within as well as from without that the municipal bodies practically had become a department of government administration. Their work was done by the official element within the boards themselves or by the government departments at their expense. The educative principle was thus subordinated to the more immediate results; <sup>1.</sup> a single will (that of the Deputy Commissioner) operated in all spheres of activity in the district. <sup>2.</sup> A rigid system of supervision was created which ran from the smallest municipality up to the Secretary of State. <sup>3.</sup>

The Governor Generals who followed Lord Ripon had little interest in local self-government. The only changes carried through by the Imperial Government and the Provinces were designed to improve administrative efficiency and the imaginative plans of Lord Ripon found no echo in these shifts and contrivances - New legislation was largely devoted to remedying the drafting of earlier Acts by more exactly defining, and in some cases enlarging the functions of local bodies. <sup>4.</sup> In 1907-1908, the Royal Commission on Decentralization

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<sup>1.</sup> Montagu Chelmsford Report, (1918), para.13.

<sup>2.</sup> Simon Commission Report, (1930), p.301.

<sup>3.</sup> Hugh Tinker, op.cit., p.59.

<sup>4.</sup> Ibid., p.60

was set up to enquire into the financial and administrative relations of the Government of India and the provincial governments and of authorities subordinate to them. The commission examined the entire subject of local self-government and attributed its failure to factors like artificial character of local areas, absence of genuine elections, lack of finances, excessive control of the government and inadequate control of local bodies over services.

The commission dealt separately with village organisation, rural bodies and municipal boards. Lord Ripon's scheme had left the villages out of account and contemplated the establishment of two sets of local bodies only - the district boards and local boards for tehsils or some smaller sub-division. The commission, however, thought the creation of village panchayats of vital importance for the success of local self-government. <sup>1</sup>.

The report of the Commission resulted in the enactment of the Punjab Panchayat Act, 1912, which inter alia provided for the establishment of benches to try specified suits. The Act was replaced by the Punjab Village Panchayat Act, 1921 on the recommendations of the Punjab Committee for Local Self-Government Reforms, 1918. The Act of 1921 abolished the benches and provided for the constitution of panchayats consisting of elected panches holding office for three years. The panches were to elect a Sarpanch for one year and also a

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<sup>1</sup>. D.C.R. (1909), para.807.

Deputy Sarpanch. The panchayats were given administrative functions and powers besides judicial powers - both criminal and civil. To meet expenditure, they had power to levy (i) the village rate upon all persons liable to contribute to the chaukidari tax, with the sanction of the District Board, and (ii) a special rate by resolution confirmed by a two-thirds majority of the adult rate payers of the village.

The Commission had also insisted that sub-district boards should again be universally established as the principal agencies of rural local government and should have independent resources and separate spheres of duty. Their past failure was attributed to paucity of funds and therefore recommended that 50 per cent of the income accruing to the district boards should be given to them. The district boards, besides undertaking some distinct functions were to possess co-ordinating and financial powers in respect of the district as a whole. It was urged that they should receive the whole of the land revenue cess; the poorer boards should receive block grants on a long term basis without any obligation to devote specific sums to specific heads. The commission favoured the over all control of the District Magistrate but pleaded for its limited use. It was recommended that the provincial government should intervene only to suspend or abolish a board; the commissioner should take action only when a board failed to discharge its statutory obligations.

Official control over the municipal boards was considered unnecessary. An elected non-official chairman and a substantial

elected majority of members, full powers in regard to taxation and full control over their budget was favoured. The boards were also to be relieved of all 'non local' duties. The municipal executive was necessary to be strengthened in order to achieve this end. Higher control was to be on the lines similar to that of district boards suggested above. <sup>1.</sup>

The proposals of the commission were thus sound, but cautious, conceived in terms of administrative improvement rather than of national political aspirations. <sup>2.</sup>

The views of the Government of India on these proposals were embodied in a resolution dated the 28th April, 1915. <sup>3.</sup> It hardly went further than to suggest that Lord Ripon's intentions should at length be put into practice. But a programme that was daring in 1883 was hopelessly out-dated in 1915. <sup>4.</sup> As the formulation of detailed proposals for the fulfilment of the recommendations was again left to provincial governments, as was done in the case of Lord Ripon's proposals, they were likewise nullified in practice.

Since 1909, the interest in municipal elections was keen as the municipal bodies constituted electoral colleges for legislative

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1. Ibid., paras.307-309 and 818-851.

2. Hugh Tinker, op.cit., p.85.

3. Government of India, Department of Education, Nos.55-77 of 1915.

4. Hugh Tinker, op.cit., p.98.

councils set up under Morley Minto reforms. The emergence of the Muslim League in political life gave momentum to the demand for separate electorates. In the Punjab, ten municipalities had been reconstituted on communal lines by 1917. The sub-district boards were, however, not created. These were rather abolished wherever functioning. The district boards were allowed the right to elect non-official chairmen by 1917 but no board seems to have asked for the change. There was also a decrease in the number of elected non-official chairmen of municipal boards as is evident from table 3 below.

TABLE 3

Chairmen of Municipal Boards in Punjab, 1908 and 1917.

Year	Total no. of Munic- ipal Boards	Official chairmen	Non-official chairmen	Percentage of non- official chairmen
1908	138	101	37	26.8
1917	102	86	16	15.7

From the above facts it may be concluded:-

- (i) that during this period in spite of an initial set back, the roots of democracy started having their grip on the Indian mind and they started playing a necessary role in the newly set up institutions;
- (ii) that the democratic local institutions were introduced at village level for the first time appreciating the compact social unit which had some traditional set up of human agglomerations;
- (iii) that there was a larger functional role of urban local bodies as compared with the district boards;
- (iv) that the co-ordination between the hierarchy of rural bodies could not be achieved as the district boards failed to perform effective control in their allotted sphere;
- (v) that the embryo of communal representation took its birth in the local bodies which ultimately attained a mature shape in the political life terminating in the partition of the country.

Third Phase - from 1920 to 1947.

The role of India in the first world war (1914-18) was appreciated resulting in the announcement of the new government policy promising responsible government through the gradual development of

self-governing institutions. The Montagu Chelmsford Report (1918) therefore suggested popular control in local bodies eliminating official control. Accordingly the Government of India (1918) recommended to the provinces that both municipal bodies and rural boards were to contain a majority of elected members; franchise was to be lowered; official chairmen were to be replaced by non-official<sup>1.</sup> ones and the boards' executive was to be strengthened for abdication of official leadership. The boards were also to be free to raise ~~or~~ lower taxes within statutory limits; they could not however spend beyond the budgetary balance fixed for individual local bodies. They were free to allot any portion of their revenue to the subject of their choice. Senior appointments in the local government services were to be subject to government approval. Outside control was reduced to suspension or supersession of grossly incompetent boards and to the grant of certain powers to the Divisional Commissioner or the District Magistrate to act in emergency, should a local authority fail to take the necessary action.<sup>2.</sup>

Village panchayats were to be composed of members of communities who habitually ~~set~~ together. They were to be given a portion of the

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<sup>1.</sup> At this time the vote was enjoyed by only 6 per cent of towns people and 0.6 per cent of the rural population; two-thirds of municipal boards were presided over by officials, while out of 119 district boards only thirteen had non-official chairmen. (Government of India, Education Department, Resolution No.41 of 16th May, 1918 paras. 3 and 4.)

<sup>2.</sup> Ibid., paras, 4, 5, 10 and 13 to 16.



district cess and equipped with voluntary powers of imposing petty taxes in their own areas to supplement their income. The Panches were to be informally elected associating village officers along with.

The Government of India allowed the provincial governments to modify these recommendations to suit their own circumstances but the decision on this account should not delay the pace of their implementation.

In the Punjab, the policy eliminating official control was initiated long before the introduction of the reforms when the Punjab Municipal Act of 1911 was passed. The provincial government could under rules or by executive orders introduce elective system in any municipality and could permit the election of non-official chairmen. 'The policy was pursued with vigour in the early years of the reformed system of government so that by the beginning of 1924 there was little left to be done in this direction in the municipal field.'<sup>1</sup>

The Punjab Municipal Act of 1911 was amended in 1929 which further increased the powers and independence of the municipal councils; lowered the franchise; reduced the nominated element and encouraged the election of non-official presidents and vice-presidents.<sup>2</sup>

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1. Punjab Report on the working of the Reformed Constitution (1926), para. 6.

2. Only 5 municipalities remained wholly nominated. The elective element ranged between 75 per cent to 85 per cent barring 8 municipalities where it was less than 75 per cent. (The Punjab Government Gazette, Part 1 - A, Aug. 24, 1923 pp.389-90.)

The resolution of the Government of India laid down that minorities should be represented through nomination rather than by separate electorates. The Punjab Government endorsed this policy but found it impossible to implement it in practice without allotting separate seats to different communities. Accordingly communal representation was introduced in 28 more towns.

The Government of India Act, 1919 introduced the dyarchical system of government. Local self-government department as a transferred subject was now in the charge of a popular minister responsible to the provincial legislature. Consequently there was an increased activity on the part of the provincial legislatures in the domain of local self-government. In view of the meagre representation of muslims as compared with their population in the local bodies, the communal electorate was extended to 80 out of a total of 100 municipalities.

The voting right was further extended bringing the electorate to about 75 per cent of the total adult population. District boards were also reconstituted in 1922 with two-thirds of elected members.<sup>1.</sup> Non-official chairmen of Municipal Boards numbered 81 against 23 official chairmen in 1923. In 1925 district boards were offered the choice of electing non-official chairmen if they so wished, but only two boards made the change in 1920's and two more in 1930's. The Deputy Commissioner

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1. The exceptions were the district boards of Mianwali, Attock and Dera Gazi Khan, which were previously wholly nominated but now had one-third elected members as compared to two-thirds in all other district boards of the province.

continued as chairman of the district board on account of communal rivalries among the members and the tradition of close association between district officials and rural life.

During Dyarchy, the democratisation of the local bodies led to gradual deterioration of administration. In the Punjab, Ludhiana municipality had to be superseded in 1926 on account of corruption and inefficiency. The Punjab Government memorandum to the Simon Commission had attributed the deterioration in administration in local bodies among other factors to the relaxation of official control from within. The guidance of expert advice, assistance and active co-operation of the District officials together with an army of other officers at their command to these institutions were denied at a time these were most needed. Government and their officials were left with disciplinary powers exercisable only when local bodies were in utter chaos. 'Where spur and reins were needed, the government was given the poleaxe'.<sup>1</sup>

The Punjab Municipal (Executive Officer) Act 1931 and the Municipal Amendment Act of 1932 were designed to reassert official and government control. The former required the appointment of an Executive Officer in those municipalities where the government may find it necessary to check deterioration in administration of the local body. An Inspector of Local Bodies was also appointed to exercise greater

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<sup>1</sup>. Simon Commission Report, (1930), para. 343.

control on municipal committees. The government started using the provision of these Acts and in 1930's eight more municipalities were superseded. This instrument of supersession has been freely used since then.

Panchayats were set up in Punjab under the Act of 1921. The district magistrates were responsible for their supervision and they could set aside a panchayat's judicial decision. The growth of panchayats was very slow; only one out of twenty five villages had a panchayat of its own in 1937. The indifference of people as well as district officers, factions in villages, and lack of leadership were responsible for this slow pace of progress. There were only a few successful panchayats, but on the whole they did awaken many country-dwellers to the meaning of local government in the villages. <sup>1.</sup>

The Simon Commission which was appointed to review progress made with respect to reforms under the 1919 Act recommended sufficient state control over local bodies as in their view the transference of power from official hands had been followed by a fall in the previous level of efficiency. <sup>2.</sup>

The provincial autonomy granted in 1935, gave further impetus to the development of local self-government. Almost all provinces enacted legislation which aimed at further democratisation

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1. Hugh Tinker, op.cit., p.205.

2. Simon Commission Report, (1930), para. 363.

of local bodies besides improvement of administrative machinery. Punjab also followed suit.

The Punjab Panchayat Act, 1939 was passed to consolidate and extend the law relating to the panchayats. The scope of administrative and judicial functions of panchayats was enlarged. They were allowed to levy taxes which the provincial legislature had now the powers to impose under the Government of India Act, 1935.

The provisions made under these new laws for further democratisation of the local bodies institutions could not make any headway because of the Second World War. The political parties could not contribute in this sphere because of the non-cooperation movement launched on all India scale. Though the popular ministry continued in office at least in this province, but the entire energy was diverted primarily to defence activities. As a matter of fact, it was no time to concentrate on the local bodies institutions. The major function performed by the urban local bodies was related to practices in blackouts, raising of voluntary organisations for defence, increasing first aid posts etc. which was taken up directly by the district administration with the assistance of the municipal employees.

This situation prevailed till the grant of independence and consequent partition of the province.

It may look to be a period of growth of local bodies but the facts discussed above will enable us to draw slightly different conclusions:

- (i) The elected element improved, but communal representation in the elections was hampering the smooth working of the local bodies;
- (ii) A proper machinery manned by efficient personnel was absent and, therefore, the municipal administration showed a poor performance;
- (iii) The general tendency of the elected element to look upon the officers not merely as the functionaries but as directive forces limited their initiative.
- (iv) The local bodies were forced into narrow channels again with the official machinery directing their fate - even of existence - supersession being frequent.
- (v) The result of local bodies working under the popular elected legislatures cannot be properly assessed because of the second world war.

#### Fourth Phase - Post-Independence Period

The new Punjab comprised 13 districts and 54 tehsils. It had now only two Commissioners' Divisions. The mass migration largely affected the population pattern on both sides of the Punjab. A large number of displaced persons marched on to other parts of India for reasons of safety and employment. By 1951, the new Punjab had a population of 12,641,205 souls residing in 130 towns and 15,147

villages. The new state was given the name of East Panjab, later on changed to 'Punjab' in 1950.

It is estimated that nearly 5 million muslims migrated from India (largely from Punjab and princely states) whereas more or less an equal number of non-muslims from West Pakistan moved to India. According to the census of 1941 <sup>1.</sup> there were 5,356,832 muslims in the Punjab (including PEPSU). But 2,731,929 displaced persons from West Pakistan settled in this province in 1951. <sup>2.</sup>

The new East Punjab Government were suddenly faced with a grave situation. The civil administration itself was yet to be organised. Providing shelter and employment to the displaced persons were their foremost problems. The exodus of muslim officials and non-officials from local authorities meant abrupt dislocation of their administrative machinery. The situation was further aggravated because of the unprecedented burden placed on the local bodies for providing minimum amenities viz water, housing, health, sanitation, and the like. This necessitated the take over of certain municipalities by the new government, at least temporarily. The need led the government to pass the East Panjab Local Authorities (Restriction of Functions) Act, 1947. The Act empowered the state government to assume functions of a local authority if it was not capable of performing necessary functions in

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1. Census of India, 1941, Vol.VI, pp.2-3.

2. Census of India, 1951, Vol.VIII, Part I-A, pp.32-33.

view of emergency. The costs for performing such functions were to be paid by the local authority concerned. In order to solve the problem of unemployment amongst the displaced persons, the local authorities were directed to appoint refugees (only) to the vacancies which had occurred as a result of the migration of their muslim incumbents. The new vacancies were also to be filled likewise during the next two years. <sup>1.</sup> As a consequence of this measure almost all the permanent employees of local authorities of West Punjab who sought employment were sooner or later absorbed in equivalent assignments under local authorities in East Punjab. <sup>2.</sup>

The national objectives of Independent India were embodied in the Directive Principles of the Constitution (1950), which aimed at the establishment of a welfare state. In pursuance of the directive principle contained in Article 40 of the Constitution, the Punjab Gram Panchayat Act 1952 was passed with the object of providing better administration in the rural areas. The Act enlarged both judicial and administrative powers of the panchayats, assigned 10 per cent of the land revenue to them, made levy of house tax obligatory and provided for election of Panches on the basis of universal adult franchise.

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1. East Panjab Act No. IX of 1947, Sec.(6)

2. It was estimated in 1951 that 11.8 per cent refugee employees of local bodies from West Punjab had not sought employment under local bodies in East Punjab either because they had settled outside East Punjab or had changed their profession.

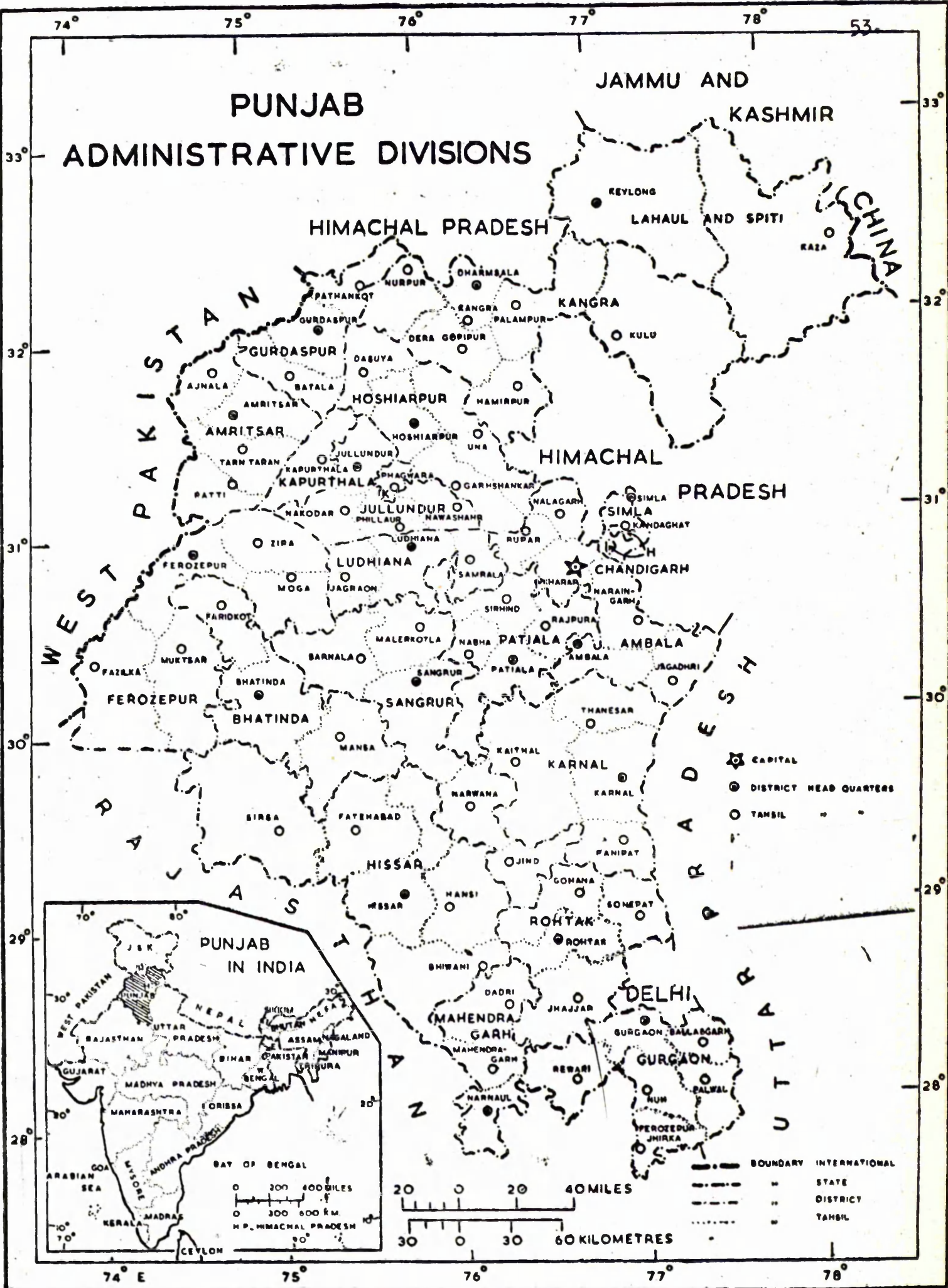


Elections to District boards were not held since independence. To stem stagnation and deterioration in their administration, <sup>1.</sup> the Punjab District Boards (Temporary Constitution) Act, 1954, was passed whereby their normal constitution was suspended, and the administration was handed over to official members with the Deputy Commissioner as the ex-officio chairman. This was to continue till the future pattern of rural local government above the village level had been decided upon by the Government.

As a result of re-organisation of States, (1st Nov. 1956) the erstwhile states of Punjab and PEPSU <sup>2.</sup> were merged to form a single state. The new state of the Punjab has a total population of 20,306,812 persons out of which 4,088,595 persons reside in 190 urban centres and 16,218,217 persons in 21,269 villages. The urban and rural population thus constitute 20.1 and 79.9 per cent respectively. The State comprises three Commissioner's Divisions - Ambala, Jullundhur and Patiala - 20 districts and 74 tehsils. (See Map I)

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1. Statement of objects and reasons of the Act.
  2. Patiala and East Punjab States Union was formed after combining the territories of the princely states after Independence, January (1948).

## ADMINISTRATIVE DIVISIONS



In PEPSU the municipal committees had very limited powers. They functioned through the State department. There were no District Boards and they had a separate law for the panchayats.<sup>1.</sup> The pattern of local bodies administration thus differed very much in the merging states. This necessitated uniformity. The Punjab Municipal Act 1911, the District Boards Act 1883, and the Punjab Panchayat Act, 1952 were therefore made applicable to the erstwhile PEPSU area also.

The Punjab Municipal (Executive Officer) Act, 1931 was however not extended to PEPSU area leaving Patiala Executive Officers Act 2003 B.K.<sup>2.</sup> to operate there. The Act empowered the Government to make appointments of Executive Officers in Municipalities in PEPSU area whereas the Act operating in the former Punjab area assigned these powers to the municipality concerned. The government probably did not like to give up its power of patronage by abrogating the Patiala Executive Officers Act. This anomaly in the same state is uncalled for.

In October 1952 the Community Development Programme was introduced in India to transform the social and economic life of the villages.<sup>3.</sup> The Programme was designed to promote better living for the whole community with ~~the~~ active participation and, if possible, on

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1. PEPSU Panchayati Raj Act, 2008 B.K. (Act No. VIII of 1951)
  2. In princely states, the local calendar year was followed which is different from the christian era.
  3. Government of India, Planning Commission, First Five Year Plan, (1951), p.223.

the initiative of the community, but if this initiative was not forthcoming spontaneously, then by the use of techniques for arousing and stimulating it in order to secure its active and enthusiastic response to the movement. <sup>1.</sup> The community development projects aimed at building up both the community as well as the individual, which in turn would make him the builder of his own village centres and of India in the larger sense. <sup>2.</sup> For the implementation of the Community Development Programme, rural India was divided into blocks, more or less of a uniform size. Each block was provided with a National Extension Service staff of extension officers and village level workers on a common pattern. The Block thus emerged as a new unit of development administration. It covered an area comprising many villages and was smaller than the tehsil. The local planning and development committees of nominated persons were set up in each block as advisory bodies.

But all these elaborate programmes did not achieve the desired result. Popular support was lacking. Problems of administration and the proper execution of development programmes were unforeseen. The experience gained in this sphere necessitated a thorough check up of the working of the community development organisation. Consequently the Planning Commission appointed in 1957 a study-

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1. Community Development Programme in India, Pakistan and Philippines (1955), p.8.

2. Prime Minister's inaugural speech at the Development Commissioners Conference, May 1952

team headed by Balvantray Mehta to suggest remedial measures. The team recommended for the establishment of the Panchayati Raj <sup>1.</sup> (Democratic Decentralisation) - transfer of responsibility for planning and execution of development programmes to the representatives of rural population. They felt that the local interest could only be developed if the people concerned had adequate control over expenditure on their welfare schemes. This was the only way to create local initiative in the field of development. <sup>2.</sup>

Panchayati Raj was to consist of three tiers of elected and organically linked democratic bodies at the village, block and district levels. The recommendations were further endorsed by the National Development Council in 1958. <sup>3.</sup> The areal dimensions of India are reflected in the diversity of social structures and thinking. Community development being a social process required local adjustments. The Central Council of Local Self-Government realised as late as 1959 that though the broad pattern and the fundamentals of the Panchayati Raj structure might be uniform, there would not be any rigidity in the pattern. The genuine transfer of power to the people was what was ultimately important. If this was ensured, form and pattern might

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1. The late Prime Minister, Mr. Nehru preferred to use this term for "Democratic Decentralisation" while addressing the 6th Annual Conference of Indian Institute of Public Administration, New Delhi.
  2. Mehta Report, Vol.1., p.5.
  3. National Development Council includes the Prime Minister of India and the Chief Ministers of all states.

necessarily vary according to conditions prevailing in different states.

The recommendation had broadly determined the policy of the Government of India and the states were left to exercise their autonomy in determining the pattern of Panchayati Raj in their own areas. Punjab was one of the first few states to establish the Panchayati Raj through the enactment of the Punjab Panchayat Samitis and Zila Parishads Act, 1961.

This completed the process of democratisation of local bodies. Universal adult franchise was introduced, special reservations were made for scheduled castes/tribes for a period of ten years to begin with. This period was however extended for another ten years to enable them to have their full share in the management of national and civic affairs. It is now the problem of synthesising democracy with administrative efficiency which remains to be solved.

From the above discussion it can broadly be concluded that:

- (i) the very object of raising the rural structure of local bodies institutions had been metamorphosed. It now aimed at reconstruction rather than mere democratisation;
- (ii) the universal suffrage enabled each citizen to participate fully and contribute to the affairs of local bodies;
- (iii) the elimination of communal representation provided a wider horizon in the local bodies administration;
- (iv) the new units were based on smaller area and were oriented to development rather than merely administration as heretofore;

- (v) there was greater emphasis on the growth of these institutions in rural areas;
- (vi) the government tried to retard the progress of urban local bodies by declining to introduce necessary and timely legislation aiming at delegation of powers.

### CHAPTER III

#### STRUCTURE OF URBAN LOCAL GOVERNMENT

Municipal Corporations, Municipal Committees, Notified Area Committees and Town Area Committees constitute various categories of urban local government in India.

The criterion for the establishment of Corporations in India varies. It does not conform to population and resources. In 1965, of the 24 corporations, 12 had an annual revenue of over ten millions of rupees each, whereas in the case of 7 it ranged between five and ten millions of rupees. Five of such corporations had a total revenue of less than five millions of rupees. The extent of population in each corporation area also varies. Half of the above mentioned corporations had a population of less than half a million each whereas three of them had less than 200,000 each. The Punjab state has no Corporation though the idea of establishing a Corporation for the city of Amritsar (population 376,925) with an annual revenue of Rs. 1,19,52,514 has been under consideration by the government for some time past.<sup>1</sup>

In a corporation there is almost complete separation of the

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<sup>1</sup> The Punjab Municipal Corporations Bill, 1963.



deliberative from the executive functions. They have wider functions and larger powers than municipalities and therefore carry with them a certain amount of prestige and civic pride.

Only a few States in India follow any definite criterion while establishing a municipal committee in any town. Most of the municipal Acts are silent on this point. The Bihar and Orissa Municipal Act of 1922 and the Bengal Municipal Act of 1932, for instance, prescribed population limits of 5,000 and 2,000 respectively, subject to the population density of 1,000 per square mile and 75 per cent of the adult male population being occupied in non-agricultural pursuits. Till April, 1955 the normal population limit in the Punjab was 10,000 but places with a population of less than 2,000 were also given municipal status when their income exceeded Rs. 25,000 per annum. In all there were 158 municipal committees in the Punjab in 1955.

Municipal Council is the effective constituent unit of a municipality. There is no separation of deliberative and executive functions. The Chairman is the presiding officer of the Council as well as its executive head. The Council appoints sub committees from amongst its members and delegates powers for the discharge of certain duties to them. The Government control over the municipal committees is more effective as compared with the corporations.

The functions of a municipal committee are both obligatory as well as discretionary. The obligatory functions comprise the construction and maintenance of roads, their cleaning, watering and

lighting, abatement of public nuisances, regulation of dangerous and offensive trades, water supply, drainage, maintenance of hospitals and dispensaries, vaccination, construction and maintenance of slaughter houses as well as sanitary conveniences, education, fire protection and so on. Discretionary functions relate to reclamation of insanitary localities, acquisition of land, construction and maintenance of public parks, libraries, travellers' rest houses, camping grounds, poor-houses, baths, washing places and other similar works of public utility, census and surveys, provision of relief in case of local calamities, holding of fairs, exhibitions etc.

Notified Area Committees are created in developing towns or areas where new industries are growing rapidly. Such committees exercise all the powers of a municipal committee. Their members including the chairman are nominated by the Government. They are governed by a few provisions of the municipal statutes. Notified Area Committees in the Punjab virtually ceased to exist in April, 1955 when some of them, like Karnal Civil Lines, were merged in the contiguous municipalities whereas others, like Tankawali in Ferozepur district, were upgraded to class III municipal committees. Only two of them, namely Nangal and Milokheri, however, were allowed to continue. Their number has now risen to five, with the addition of Faridabad, Naya Nangal and Rajpura. As a matter of fact, this

is a stop-gap arrangement for a limited period for special administrative reasons. <sup>1.</sup>

Town Area Committees are semi-municipal committees established in small towns. They may have elected and/or nominated members. They are governed by a separate Act of the state legislature. The sphere of their activity is limited to fewer subjects such as conservancy, street lighting, drainage and roads. In the Punjab, there were 33 Town Area Committees in April, 1955 when the Punjab Small Towns Act, 1921 was repealed and all of them were converted into class III municipal committees. This has resulted in bringing all the urban local bodies in the State under a uniform Corps of municipal law.

There are at present 190 urban centres in the State. 5 of them have a population of 100,000 or more; 12 between 50,000 and 99,999; 36 between 20,000 and 49,999; 41 between 10,000 and 19,999; 53 between 5,000 and 9,999 and 43 under 5,000. The Capital - Chandigarh (population 89,000) does not have any form of local government. <sup>2.</sup> In all there are 173 Municipalities, 5 Notified Area

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<sup>1.</sup> Stated by the Officer on Special Duty, Local Govt. Department, Punjab Govt., during interview with the author.

<sup>2.</sup> Chandigarh is the new capital of the State still under construction. It being entirely new planned city, the Government has undertaken major construction work through its own departmental agencies. No urban body has been constituted as yet because the city is supposed to be incomplete.

Committees and 11 Cantonments. <sup>1.</sup> There is no corporation. The process of municipalization has thus been extended to all the urban centres irrespective of their size of population and revenues.

(Appendix II).

This has resulted in the establishment of a municipality even at such small places as Haily Mandi and Narot Jaimal Singh which have a small population of 1,728 and 1,809 persons respectively. <sup>2.</sup>

Municipal units need to be viable. They should have resources to employ qualified staff and provide minimum amenities of a reasonable standard. On the basis of estimates of per capita requirements of the various services by the Town and Country Planning Organisation, Government of India, expenditure of the municipality of a town with 10,000 persons would be about Rs. 120,000 as shown in the table below.

Table 4

Per Capita Requirement of Various Services in Towns (10,000 Persons).

<u>Serial No.</u>	<u>Major Head of Service</u>	<u>Per Capital Expenditure</u>
1.	Water Supply	Rs. 4.10
2.	Sewerage and Sewage Disposal	Rs. 4.25
3.	Construction of Roads and Foot-paths	Rs. 0.55
4.	Street Lighting	Rs. 1.00
5.	Education	Rs. 0.50
6.	Medical and Health	Rs. 0.30
7.	Fire Service	Rs. 0.05
8.	Horticulture	Rs. 0.05
9.	General Administration	Rs. 1.00
Total	All Heads	Rs. 11.80

(Footnotes on following page 64.)

Ninety-six municipalities in the State have a population of 10,000 or less. They (with a few exceptions) are deficient in raising revenue to the extent recommended above. Examples of some of these municipalities are given in the table below.

Table 5 <sup>3.</sup>

Income and Expenditure of Municipalities with Ten Thousand population or below.

<u>Municipality</u>	<u>Population (1961)</u>	<u>Income (in Rupees)</u>	<u>Expenditure (in Rupees)</u>
Sangat	2874	30,200	39,998
Nalagarh	3096	23,750	25,720
Anandpur	4189	26,340	30,190
Farrukhnagar	4998	25,296	27,279
Bhawanigarh	5437	21,345	29,660
Tapa	6220	76,500	93,510
Sultanpur	7661	61,294	65,820
Mahendragarh	9071	65,850	70,819
Bhadaur	9403	24,725	25,960

(Footnotes from page 63.)

1. Cantonments form a specialised type of urban local bodies which function under the control and supervision of the Ministry of Defence, Govt. of India in accordance with the provisions of the Cantonments Act, 1924. The State governments have therefore, no jurisdiction over them.
2. Census of India, 1961, Vol. XIII, Punjab, Pt.II-A, pp. 103-33.
3. Source: Census of India, 1961, Vol. XIII, Punjab, Pt.II-A, pp. 103-133 and Report of the Committee on Augmentation of Financial Resources of Urban Local Bodies, 1963, pp. 445-51 and 516-21.

The table also shows that most of these municipalities were obliged to spend more than their revenues in order to provide for necessary civic amenities. It would, therefore, be desirable to reduce such municipalities to the status of panchayats or to merge them with contiguous municipalities wherever possible. The inclusion of such small towns in the Panchayati Raj would entitle them to such financial assistance as is available to rural areas under the Community Development Programmes. It was due to this reason that the people of the tiny town of Nagrota (population 2,592) in Kangra District boycotted the municipal elections.

Consequently, municipal committee was not constituted there.

The States of Gujrat, Mysore, Madras, Andhra Pradesh and Madhya Pradesh have already merged their smaller urban local bodies in the Panchayati Raj. The Punjab may also follow suit with advantage.

There may be some exceptions to the above rule. Those towns which have a population of 10,000 or less but their annual revenues amount to Rs. 120,000 or more may have a municipal committee. Mandi towns<sup>1</sup> can be one example of such towns. They have a small population but attract a number of people during the

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<sup>1</sup> A Mandi is a market place where the government authorises the deal in grains by special notification.

day and earn a large revenue through octroi on goods imported in the mandi for sale. It is evident from the table below.

Table 6 <sup>1</sup>.

Population, Income and Expenditure of Mandi Towns, 1961.

Mandi Town	Population (1961)	Income (in Rupees)	Expenditure (in Rupees)
Jakhal	3,138	147,838	140,121
Bhucho	2,277	324,160	323,153
Gobindgarh	7,026	309,625	325,933

Similarly revenue and not the population should be the criterion for establishing a municipal committee in those towns which are pilgrim centres, health resorts and hill stations. Dalhousie <sup>2</sup>.

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1. Census of India, 1961, Vol.XIII, Punjab, PtII-A, pp. 103-133, and Report of the Committee on Augmentation of Financial Resources of Urban Local Bodies, 1963, pp. 445-51.

2. Ibid.

for instance, is a hill station, its residential population is 2,739 but its annual revenue amounts to Rs. 122,230 which is largely derived from a toll tax levied on the visitors.

#### Grading of Municipal Committees

A uniform level of services can not be achieved in municipalities of various sizes. Some sort of their classification is, therefore, necessary. It would facilitate homogeneity in administrative services, civic amenities, tax resources, grants and the like within the municipal committees of the same grade. The criteria for the gradation of municipal committees differ from state to state. For instance, in Andhra Pradesh it is population; in Rajasthan, it is revenue; and in Madhya Pradesh, it is both population and revenues. The State of Madras has adopted a more realistic and comprehensive system of classification of municipal committees based on population, total income and annual per capita income. The present ~~grad~~ gradation in the Punjab is primarily done on the basis of administrative status of the town though the criterion applies to the district headquarters only which are invariably graded as class I. Municipal Committees in all other towns are graded according to their population. The Local Government (Urban) Enquiry Committee, Punjab, 1957 recommended the total revenue as the only criterion for



this gradation. <sup>1.</sup> The present basis of gradation of the municipal committee of a town is not consistent with its population, administrative status and total revenues. For instance, Abohar which is not even a sub-division or a tehsil had a total revenue of Rs. 902,000 in 1961 whereas Ferozepur which is a district town had a total revenue of Rs. 539,694. Strangely enough the former is designated as class II municipal committee whereas the latter is class I. This is a glaring anomaly. A class II municipal committee is thus in a better position to provide civic amenities and to pay more to its staff than a class I municipal committee.

#### Constitution of a municipal committee

A municipal committee consists of such number of elected members as the State Government may fix on the basis of its population. Accordingly the minimum number of such elected members is 8 for towns with less than 10,000 population whereas 46 is the maximum for those towns which have a population of not less than 400,000. Out of 157 municipal committees in operation in 1962 (12 were under suspension) only 6 had more than 20 members and as many as 129 had less than 10 members. Amritsar was the

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<sup>1.</sup> Report of the Local Government (Urban) Enquiry Committee, Punjab, 1957, p. 25.

biggest municipal committee with 36 members. A small council is advantageous from the point of view of transaction of business, while a larger one is more representative of the people. The Government decision to have medium sized councils seems to have popular support.

The members are elected on the basis of adult suffrage. Seats are reserved for scheduled castes and tribes only, on the basis of their population in each municipal area. They can, however, contest unreserved seats also.

Most political parties participate in municipal elections. Out of 157 municipal committees in existence in 1962, Congress party controlled 50 whereas Jan Sangh held only three. In another three, the Jan Sangh formed a majority with the help of independents. The partywise position (1962) of city fathers is shown in the table below.

Table 7

Party Position in Municipal Committees in  
the Punjab in 1962.

Congress	485	Socialists	2
JanSangh	192	Akalis	2
Communists	8	Indpendents	854
Total =			1,543

It is clear from the table that 55.4 per cent of the seats were captured by Independents. This is because:-

- (i) Local government does not come as a specific policy matter with most political parties;
- (ii) The Congress which holds one third of the total number of city fathers as also has absolute majority in about 40 per cent of the total number of municipal committees is committed to a planned social and economic development in which the local bodies have been assigned a definite and important role,
- (iii) Local influential persons dominate local politics.

In the absence of effective party organisation in the local bodies, the factions and groups without any programme or policy for the improvement of towns and provision of amenities dominate the scene. Consequently most municipal committees suffer from acute factionalism. The Government Reports on the working of Municipal Committees contain the sad tales of group politics, inefficient administration, partisan attitudes of members, and personal motives in the formulation of various schemes.<sup>1</sup> Amritsar municipality (as also other municipalities) were superseded, (besides other reasons) because it was faction ridden. In one of the

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1. Report on the Working of Municipal Committees, Punjab, 1961-62, 1962-63, 1963-64.

municipalities of Jullundhur district relations between office bearers and members had deteriorated to such an extent that the two factions adopted different annual budgets and openly challenged the bona fides of the other. <sup>1</sup>.

The tempo of the working of democratic institutions like municipal committees is linked with the general growth of democracy in the country. The political parties may however improve the working of these institutions by formulating special programmes and policies related to urban local bodies.

The normal term of a council is three years. Fresh elections to every municipal committee are however, not held at the expiry of its term. In August, 1966, there were 60 municipal committees in the State wherein fresh elections were overdue. There are instances where old members in a municipal committee have continued for 15 years at a stretch without seeking re-election. The Government has been putting off the elections mainly on the plea that it wanted to bring in new legislation to convert the Municipal Committee of Amritsar into a corporation or to amend the Punjab Municipal Act, 1911 itself. The Government in general postponed elections in municipalities where the Congress party commanded a

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<sup>1</sup>. The Tribune, dated 5th March, 1966, p. 6.

majority. The failure to hold civic elections was challenged in the High Court because they functioned beyond three years.<sup>1</sup> The Government have now (1966) decided to hold elections as early as possible to the municipal committees wherever they are due.

### Municipal Finance

Sources of municipal revenue in the Punjab are the following:-

- i) Taxes of various kinds such as Octroi,<sup>2</sup> and taxes on toll, cinema and pilgrims, on buildings and lands; professions, trades and callings, vehicles and animals, etc. etc.
- ii) Fees of various kinds, e.g. licence fees on vendors; and dangerous and obnoxious trades etc.
- iii) Rents from municipal properties.
- iv) Rates on services like water rate; and
- v) Government grants.

It is not obligatory upon the municipal committees to levy all the above mentioned taxes. There is, therefore, variation in the pattern and extent of municipal taxation, as is evident from the table below:-

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1. The Tribune, dated August 21, 1966.

2. Octroi is a tax on entry of goods into a local area for consumption, use or sale therein.

Table 8 <sup>1.</sup>Pattern of Municipal Taxation in the Punjab, 1950-51 and 1960-61.

Name of tax	Percentage of Municipal Committees levying them	
	1951	1961
Property tax	59.6	51
Service tax	17.9	23
Tax on trades and callings	5.9	15
Octroi	91.04	100

It is clear from the above figures:-

- i) that all the municipal committees do not exploit all the tax resources placed at their disposal;
- ii) that they do not like to incur the odium of levying direct taxes but are not reluctant to levy indirect taxes like the octroi.

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<sup>1.</sup> Reports on the Working of Municipal Committees, Punjab, 1951-52 and 1961-62.

The total income of the municipal committees in the Punjab in 1951 and 1961 was Rs. 24.73 million and Rs. 68.65 million respectively. The details of the tax and total revenues were as shown in the table below:-

Table 9<sup>1.</sup>

Details of Tax and Non-Tax Revenues of Municipal Committees in the Punjab, 1950-51 and 1960-61.

Year	Total ordinary income	Nature of Revenues (Rs. in lakhs)		
		Tax revenues	Non-tax revenues excluding grants-in-aid.	Grants-in-aid
1951	247.20 (100)	140.64 (56.9)	96.35 (38.9)	10.21 (4.2)
1961	686.54 (100)	471.97 (62.7)	205.78 (36.0)	8.79 (1.3)
(Figures in brackets denote percentages)				

The above figures show:-

- i) that the tax revenue forms the bulk of the income of municipal committees,
- ii) that the percentage of tax revenue has increased while the percentage of non-tax revenue as well as grants-in-aid have gone down during the last decade,
- iii) that the municipal committees derive a nominal percentage of

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1. Ibid.

M/S their income from Government grants. (The All India average of Government grants for municipalities is 15% of their total income. The municipalities in the Punjab are thus getting the least amount of grants in the entire country).<sup>1</sup>.

The break up of the tax revenues for 1960-61 is as given in the table below:-

Table 10 <sup>2</sup>.

Tax Revenues of Municipal Committees in the Punjab in 1960-61.

		Rupees in lakhs.
1. Property Tax	54.41 (11.5)	
2. Service Taxes	24.58 (5.2)	
3. Octroi	377.71 (80.0)	
4. Taxes on Trades and Callings	1.40 (0.3)	
5. Tax on Animals and Vehicles	4.79 (1.0)	
6. Toll Tax	5.06 (1.1)	
7. Miscellaneous Taxes	4.02 (0.9)	
8. Total	471.97 (100.0)	

(Figures in brackets denote percentages.)

<sup>1</sup>. Report of the Committee on Augmentation of Financial Resources of Urban Local Bodies, (1963), p. 296.

<sup>2</sup>. Ibid., p. 301.



The above figures show that octroi is the most important among the taxes fetching 80 percent of the total tax income. This strengthens our conclusion, drawn earlier, that the municipal committees avoid direct taxation and they do not fully exploit all possible sources of income.

Municipal expenditure in the Punjab in 1950-51 and 1960-61 was Rs. 24.41 million and Rs. 62.39 million respectively. The expenditure under different heads was as shown in the table below.

Table 11

Expenditure of Municipal Committees in the Punjab, 1950-51 and 1960-61.

Rupees in lakhs

Year	General Admini- stration	Public Health	Public Safety and Conveniences	Education & Miscellaneous	Public Works	Total Expendi- ture
1950- 51	27.86 (11.4)	74.08 (30.3)	98.10 (40.2)	19.60 (8.0)	24.52 (10.1)	244.16 (100)
1960- 61	152.05 (24.4)	248.70 (39.9)	112.55 (18.0)	54.58 (8.7)	56.06 (9.0)	623.94 (100)
(Figures in brackets denote percentages)						

The above figures show that the expenditure on administration has more than doubled during the last decade, resulting in the

reduction of the shares of other civic amenities. The Government has therefore now directed the municipal committees to restrict their expenditure on administration to 15 per<sup>1.</sup>cent of their income.

Municipal Committees avoid raising tax rates. They are incapable of plugging the tax leakage. This view has been confirmed by the Local Finance Enquiry Committee (1951) and the Taxation Enquiry Commission (1953-54). In 1960-61, the municipal committees in the Punjab collected taxes to the tune of Rs. 5.9 million (52.2%) against the total demand of Rs. 11.3 million. In Great Britain a local body expects to collect up to 98 or 99 percent of rates imposed by it and a drop in the collection could be the subject of very close enquiry. In 1962-63, 131 municipal committees in the Punjab had arrears of taxes but they took no steps to recover them. <sup>2.</sup> At the close of the year there were unspent balances of Rs. 3507,311 from grants made for various development schemes. <sup>3.</sup> Ambala and Ferozepur municipalities did not have a happy financial

1. Punjab Government Memo No.9587.C111-65/48348 dated 10th Dec.1965.

2. Review on the Working of Municipal Committees in the Punjab, 1962-63.

3. Ibid.

position but at the same time had 50% of arrears of fines which were to be collected. In Hoshiarpur, there was a peculiar case of under-assessment. An assessee requested a reduction in the assessment of house tax from Rs. 484 to Rs.360 but the municipality reduced it to Rs. 270. In 1962-63, Jullundhur municipality was charging house tax at 1955-56 rates, though the value of property had very much appreciated by then. In Pathankot over 100 buildings were exempted from house tax on the ground that three years had not expired from the date of construction, but no record was kept as to when the construction was completed. Simla municipality was paying property tax for the Anandale ground which was not its property. The dues of water charges from many municipal employees were mounting but the Committee did not cut off their water supply, apparently to save the re-connection fee.<sup>1</sup>

Lands and buildings in Punjab are taxed by the local bodies as well as the Government. In 1962-63, Government receipts from property tax amounted to Rs. 10.55 million, while receipts by the civic bodies from the same property were Rs. 4.85 million only. This reflects inefficient assessment, defective collection and interference by city fathers.

*Ratna Singh*

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<sup>1</sup>. Audit Report of Examiner, Local Fund Accounts, Punjab, 1962-63.

### The Administrative Structure

The administrative structure of municipal committees in the Punjab is the product of the early British set up where the all-powerful district collector was the ex-officio chairman of local bodies. He made the policy decisions which were later carried out largely through the agency of his district officials. The relations between the executive and the deliberative organs therefore did not carry much significance. After the First World War, (1914-18), the collector was replaced by a non-official chairman. This change brought in the question of vesting executive power in him. The Royal Commission of Decentralisation <sup>1.</sup> (1909) had recommended the appointment of a full time Executive Officer in such Municipal Boards, as had elected non-official Chairmen. The Government of India also endorsed the recommendation in 1918. This recommendation was however not implemented because:-

- i) The boards had lately seen the departure of one despot (the District Collector) and therefore were not disposed to welcome another. <sup>2.</sup>
- ii) The elected president as a successor to the official president wanted to exercise the power and authority of his predecessor; and

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<sup>1.</sup> D.C.R. Volume 1, p. 853.

<sup>2.</sup> Hugh Tinker, op.cit., p. 180.

- iii) The Government thought that the vesting of the executive authority in the elected chairman would dissuade him to join the non-cooperation movement launched by Mahatma Gandhi. <sup>1</sup>.

The Municipal Councils were therefore empowered to exercise both legislative and executive powers. The elected President was made the chief executive authority. He was elected by the council, subject to the approval of the Government. He could be removed by the Government, for abuse of power, habitual failure to perform duties and in pursuance of a resolution requesting for removal passed by two-thirds of the members of the Council.

The municipal work is organised into different departments like General Administration, Finance , Public Health, Water Supply, Municipal Works etc. Each department is under the charge of a professional head. The Secretary, who is a generalist, is the official head of the municipal office.

In those municipalities where the Punjab Municipal (Executive Officer) Act, 1931, is in operation, there is statutory separation of the executive and deliberative functions. An Executive Officer is appointed to carry on the administration. He

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<sup>1</sup>. Rao, Venkate, V. "The Chief Executive, Municipal Board, Assam", Seminar on Municipal Government in India, Punjab University, Chandigarh, April 4-9, 1965.

is the principal executive officer. He can make appointments to certain posts and transfer employees within the same department. He can effect inter-departmental transfers also with the sanction of the Council if none of them is drawing a salary of more than Rs. 100/- per month. All correspondence on behalf of the Council to the State Government, is carried on by him through the President.

In the British system of Local Government the elected council is responsible for the formulation and execution of policy. Of course, the smooth working of the system depends upon certain well established conventions, the more important being:-

- (i) The Council functions as the deliberative organ of the local government.
- (ii) The Mayor functions as the ceremonial head of the municipal government as well as the presiding officer of the council.
- (iii) The administration of the municipal affairs is left entirely in the hands of the municipal officials.
- (iv) The Committees provide leadership and assistance to the council in the formulation of civic programmes. The chairman of a committee provides the main link between the Council and the officials.

The pattern in the Punjab is different. The council exercises both deliberative and executive powers. The chairman is not only the presiding officer of the council but also its chief executive. The council interferes in the administrative functions. The committee system has not functioned properly because of the smaller size of the councils. There is also general reluctance on the part of the council to delegate functions to the committees.

The office of the elected President is unstable and therefore less effective. Because of the fluid party system with a large number of independents, he yields to personal and group pressures. The office of the President has thus become a pawn in the game of group factions and party intrigues. Sometimes the factionalism is so acute that the council is unable to elect its president. In such cases the Government has to nominate one. In 1938, it nominated Presidents in 35 municipal committees. This is true even today in Committees like Amritsar.<sup>1</sup> The President is always under the threat of removal if he cannot manage to ensure the support of the majority. In 1964 four Presidents were removed. In a Municipality of Jullundhur District the President did not call a

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<sup>1</sup>. The Tribune, dated 4th July, 1966. Petition of the opposition members of the Municipal Committee. Amritsar in the High Court, praying for restraining the Punjab Government from appointing a member of the committee as its President.

meeting of the Municipal Committee for several months in order to keep himself in power. <sup>1</sup>.

The direct election of the president by the electorate makes him independent of the councillors. In 1948, the States of Uttar Pradesh and Madhya Pradesh introduced a system of direct election of the President vesting in him the power of asking for the dissolution of the council and holding of fresh elections in case a vote of non-confidence was passed against him. There were frequent deadlocks between the councillors and the President; both the States therefore reverted to the old system of indirect election of the President in 1959.

Municipal administration has become a complex affair requiring expert knowledge which the non-professional elected chairman usually does not possess. The job is a full time occupation. Only a whole time, professional executive ~~cna~~ thus maintain efficiency of administration;

The Punjab Government enacted the Punjab Municipal (Executive Officer) Act, 1931. Under the provisions of the Act the Municipal Committee to which it (the Act) was extended was required to appoint an Executive Officer. This appointment was subject to the approval of the State Government. If the council failed to appoint an Executive Officer within the prescribed period, the

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<sup>1</sup>. The Tribune, dated the 10th September, 1966.



Government had the powers to make an appointment. He could be removed at any time by the Government, or on a resolution being passed for his removal by a five-eighth majority of the Council.

It was realised within a couple of years of the introduction of the Act that "the Executive Officer has not the full support and cooperation of the members and municipal staff in carrying on the administration. There have been cases where Executive Officers have been harrassed, vilified and ignored...The committees entertained without justification and accepted numerous appeals against the orders of the Executive Officers...In the case of a sub-overseer, the Executive Officer found him unqualified and dishonest, and suggested his dismissal. The finding was supported by certain members of the special sub committee, but the committee reinstated the delinquent who was allowed half pay for the period under suspension." <sup>1</sup>. All these instances reflect the destructive attitude of the city fathers. Various inspection reports of the government duly certify that such conditions prevailed ever since the introduction of the Executive Officer Act because members whose powers had been curtailed with the advent of the Executive Officer naturally resented their loss of privileges.

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<sup>1</sup>. Extracts from the letter of the Commissioner of Lahore to the Secretary of the Punjab Government, dated 17th August, 1936.

The state of affairs is not different even now. The Government have changed the Amritsar Municipal Committee for cancelling transfer orders of employees passed by the Executive Officer, and its refusal to punish an employee with dismissal although the Executive Officer had held him guilty of certain serious lapses. <sup>1.</sup> During 1951-65, twenty nine Executive Officers were removed, forced to resign or their term not extended. During 1966, Ambala Municipal Committee dismissed its Executive Officer whereas Amritsar Municipal Committee did not extend the term of its Executive Officer. On the other hand, there are instances where the Executive Officers do not fully cooperate with the elected members of the committees bringing the municipal administration to merely a routine and unprogressive affair. There are other types of Executive Officers who would like to go safe by abdicating their statutory powers in favour of the President. In most cases Executive Officers let things go their own way avoiding conflict with the Presidents and therefore do not offer even the constructive suggestions or bring the relevant rules, regulations and instructions issued by the Government to their notice which may displease them.

This type of interference by the city fathers resulting in the indifferent attitude of Executive Officers towards administration

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<sup>1.</sup> The Tribune, dated 4th September, 1966

has imported confusion and inefficiency. The remedy lies in separating the executive from the deliberative functions. The Executive Officer can be effective if the incumbent is appointed by the Government from the state cadre personnel. The principle that the executive authority of local bodies should be vested in an officer appointed by the State Government also received powerful support from the Taxation Enquiry Commission.<sup>1</sup> The same view was upheld by the conference of L.S.G. Ministers (1954) also. They suggested that the deliberative or policy making functions might appropriately be the sphere of the elected wing of the local bodies. Their implementation and execution should be left to the principal executive officer who might be made primarily and directly responsible for this part of the work. As a necessary corollary to this principle, the more important executive posts in the local bodies should be centralised on a state wide basis and should be made transferable. The Punjab Municipal Executive Officers Act, 1931, would thus have to be repealed and the Executive Officer as envisaged above appointed in every municipal body.

The Executive Officer is supposed to coordinate the activities of the various departments but no provision exists in the Municipal Act enabling him to ensure coordination. This aspect

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<sup>1</sup>. Report of the Taxation Enquiry Commission (1954), para.27.

would thus be required to be included in the new Act.

The Executive Officer may be deemed to be head of the Municipal Administration and all officers and servants subordinate to him. He would seek cooperation from the Heads of departments working as a team, without any sense of departmentalism and acceptance of his right of broad supervision. In return, they would have the full control of their departments without interference with their statutory duties, professional and technical work and full responsibility for executing their departments work. The position of the Executive officer would thus tend to be analogous to that of the Town Clerk in England who has also come to be designated as the Chief Administrative and Executive officer.

If the full executive authority is transferred to the Executive Officer the position of the President would be equal to that of the Mayor in a Municipal Corporation. He would be the first citizen of the city, ceremonial head of the municipality and the presiding officer of the Municipal Council. This position would be consistent with the republican spirit and democratic system of government in the present age.<sup>1.</sup>

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1. Proceedings of Seminar on Improving City Government, Indian Institute of Public Administration, New Delhi, (1958), p. 21.

The Executive Officer would deal with executive matters. The instructions issued by the President to the municipal officers would be routed through the Executive officer. . The President might inspect any municipal institution and call for papers from any Head of Department through the Executive Officer. While conducting municipal business, the Executive Officer would address the Government through the President who would be competent to add his own remarks if he so desired.

#### State control

The State Government has a vital role to play in proper functioning of local bodies. It has the responsibility for necessary legislation, efficient organisation and proper guidance of local bodies. Thus the role of the State Government is not merely negative, viz prevention of the misuse of power by local bodies through audit and periodical inspections. It can also play a positive role by offering them proper advice and guidance.

The Punjab Municipal Act, 1911, provides varied forms of State control over the local bodies. Their constitution and functions are defined by the State Acts whereas the rules are made under them by the State Government to regulate the number of their members, conduct of elections, assessment and collection of taxes etc. Government sanction is necessary for their budgets, taxation, raising of loans etc. In the administrative sphere, the Government

have the right to information, power of inspection, sanctioning of regulations, various ways of hearing appeals from their employees, as well as the public, removal of members including the Chairman, and dissolving or superseding the local body. In judicial matters, the Government takes decisions in the case of controversies between two or more local bodies and conflicts of jurisdiction between their committees and officers. The accounts of the municipal committees are audited by a State agency which has powers of disallowance and surcharge. However the law courts have the power to interpret the local bodies' acts and rules and declare ultra vires those actions which they feel in excess of legal powers.

The agency for the exercise of such control is the State Department of Local Government which caters for their administrative needs only. A number of other departments like Public Works, Public Health are supposed to assist the local bodies in their technical needs. The Government Departments of Education, Health, Engineering can hardly cater for their own works and staff in the respective districts or divisions. There is thus the need for an independent field agency of the Department of Local Government to supervise and guide urban local bodies of the State.

In the absence of such a field agency, the supervision and control over the local bodies are exercised by the Deputy Commissioner and the Commissioner. They decide by themselves many of the issues that arise, but in the more important cases, they act only as the channel of correspondence between the local bodies and the Department of Local Government.

The method of State supervision and control over local bodies explained above is criticised on the following grounds:-

- (i) These techniques are formal and negative. Their object is to forbid lapses rather than to guide, advise or suggest improvements.
- (ii) In their extent, legal powers of the control of Government are far-reaching. For instance, the power of removing the councillors and superseding a municipality has been used very frequently. In 1962, 14 out of 169 municipal committees were superseded. The number of superseded committees rose to 24 in 1966, out of a total of 173, and included Amritsar also which is the biggest municipal committee of the State. Again, in 1962, 49 councillors (total councillors in the state were 1543) had been removed and disqualified. This has created an impression that local government in the Punjab is a farce. Members of the superseded committees have challenged the supersession in the Punjab High Court on various grounds, principal ones were:-

(i) that they were not afforded an opportunity to show cause for the charges for which they were superseded as in the case of Gidderbaha Municipality in Ferozepur District.

The Government order in this case was quashed.

(ii) that the supersession orders were malafide, as was contended by the members of Municipal Committee, Simla.

(They had passed a resolution that Simla should be included in Himachal Pradesh while reorganising the Punjab State.) Soon after the municipal committee was superseded).

The State Government has never had an adequate agency to make their supervision effective. At present the Department of Local Government at the State Headquarters is without a field organisation unlike the pattern of Directorates of other departments. It has three Divisional Inspectors of Local Bodies. At the district and sub divisional level, the Deputy Commissioners and Sub-Divisional Officers control and supervise the work of local bodies. The Inspectorate is thus not a hierarchical organisation. It has never been utilised as an effective instrument of guidance. Their functions have been restricted to inspections alone. Deputy commissioners and SDO's are always preoccupied with their multifarious duties pertaining to revenue, development and general administration. They have neither time nor specialised knowledge



and outlook required for the supervisory duties of this kind. <sup>1.</sup>

"It must be admitted" says Strickland "that . . . the district officers and others who advise and control the local authorities have less knowledge of local administration in principle and practice than is desirable." <sup>2.</sup> It would thus be advisable that the Local Government Department set up its own independent field agency similar to that of the various technical departments. The Local Government (Urban) Enquiry committee, Punjab (1957) had recommended the creation of a Directorate of Local Bodies in the State to direct, supervise and guide local bodies. The Committee on Augmentation of Financial Resources of Urban Local Bodies set up by the Central Council of Local Self Government (of which the Minister for Local Self Government in the Punjab was a member) stressed the need for establishment of a Directorate of Urban Local Bodies in every state. The Directorate would exercise close supervision over the working of Executive Officers and also provide necessary guidance to the local bodies. It would also function as the inspectorate of local bodies and ensure that the performance of the local bodies is upto the mark.

In pursuance of these recommendations the Punjab

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1. M.P. Shazma, Local Self Government in India (1954), p.131.

2. Strickland, C.F., 'Local Government and Social Administration,' in Blunt, Sir Edward (Ed.) Social Service in India, (1938), p.366

Government established the Directorate of Urban Local Bodies in July, 1966. The Directorate has an hierarchical organisation with a Director assisted by a Deputy Director at the Headquarters and a Regional Deputy Director at each of the four regions into which the State has been divided for the purpose.

## CHAPTER IV

### STRUCTURE OF RURAL LOCAL GOVERNMENT

Three tiers of Panchayati Raj— Panchayats at the village level, Panchayat Samitis at the block level and Zila Parishads at the district level, constitute the rural local government in the Punjab. Panchayati Raj, introduced in October 1961, is governed by the Punjab Gram Panchayat Act, 1952 as well as the Punjab Panchayat Samitis and Zila Parishads Act, 1961.

A Panchayat is elected for any village or a group of villages<sup>1</sup> by the Gram Sabha, i.e. the village assembly consisting of all the adult residents in the area. The number of its members (Panches) varies from 5 to 9 including the Sarpanch (Chairman). Each Panchayat is required to have at least one woman member. In case no woman is elected in normal course, the woman candidate securing the highest number of votes amongst the women contestants is co-opted by the Panchayat as a member. In such cases where no woman contests the election, it may co-opt any woman who may be qualified to be a member. Each Panchayat is further required to have at least one panch belonging to a scheduled caste if these castes form 5 percent of the

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1. A 'Panchayat' is created only if the population of the village/ group of villages is over 500. The average population of a Panchayat in the State during 1961 was, however, 1,202.

total population of the Sabha area. In a panchayat with seven or more panches, there ought to be at least two panches belonging to scheduled castes, in case they form at least 10 per cent of the total population of the Sabha area. If the required number of scheduled castes' panches are not elected, the scheduled castes contestants securing the highest votes from amongst the defeated candidates are declared elected. In case no such candidates are available, the Panchayat nominates duly qualified persons of such castes as members. The Sarpanch is elected directly by the entire Panchayat electorate.

Panchayats which began to function as basic units of Panchayati Raj on its introduction in October, 1961, had earlier been elected in December, 1960/January, 1961. They numbered 13,439 covering 21,452 villages in all. The total number of their members was 85,398 including 18,885 members belonging to the scheduled castes and 13,986 women.<sup>1</sup> During elections of 1963-64 the total number of Panchayats rose to 13,486 covering 21,516 villages. The number of members increased to 91,118 which included 19,413 scheduled castes and 14,345 women.<sup>2</sup>

Political parties did not figure much during both the elections. Sarvodya leaders like Jaya Prakash Narayan plead that political parties should refrain from these elections. They would like to rebuild Indian

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1. Partap Singh Kairon, Chief Minister, Punjab, "Panchayati Raj dawns in Punjab", The Tribune, October 1, 1961.

2. Annual Administration Report, Development and Panchayat Department Punjab, 1963-64, p. 12.

democracy on the basis of Gram Samaj at the bottom, and upper tiers at the samiti, district, state and all-Indian level, each level being constituted by indirect election from the lower tier. They believe that by this method the principle of concensus, if not unanimity will prevail in all levels of administrations and all the evils of electioneering and party politics which are inseparable from a system of parliamentary democracy will be eliminated.

The supporters of party politics, on the other hand, hold:

(i) that so long as elections to the Parliament and State legislatures are fought on party lines and the Central and State Governments are formed by political parties, it is not possible to exclude party influence from the Panchayati Raj institutions; and:

(ii) that active participation by political parties in Panchayati Raj institutions will be a powerful solvent of the traditional barriers of caste, community and religion which are strongly entrenched in rural areas.

Political parties have, however, abstained from direct participation in Panchayat elections in the country except in the State of Madras, mainly for two reasons - First, they felt that it was difficult to put across party programme relating to national and state politics in a village: and Second, that with small electorate, locally prominent people were bound to succeed in many places irrespective of their party affiliation.

The State Governments also did not accord official recognition to political parties and did not permit the use of party symbols during these elections. The only exception was the State of Kerala but even there, party symbols were not issued.<sup>1</sup>

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1. Report of Committee on Panchayati Raj Elections (1965), p. 52.

The Punjab Government, on the other hand, felt that unanimity in elections would result in good administration, better output of work, creation of team spirit and healthy growth of panchayats for development work. Consequently they decided to award cash prizes to those panchayats who could secure unanimity in elections and elect Panches without contest. During 1960 elections, 4,103 panchayats (30.5 per cent of the total panchayats) were elected without any contest.<sup>1</sup> This incentive was however withdrawn from the elections of 1963-64 on the ground that it caused financial embarrassment to the State and penalized those panchayats where public life might be keener. Yet 4,934 panchayats (28 per cent of the total Panchayats) were elected unanimously.<sup>2</sup> This shows only a slight fall of 2.5 per cent in uncontested elections.

The Gram Panchayat Act, 1952, prescribes a number of duties for which Panchayats shall provide 'within the limits of the funds at their disposal'.<sup>3</sup> Twenty seven of their duties are obligatory and they include amongst others, public health and sanitation, conservancy, street lighting, drinking water supply, maintenance of roads, culverts and bridges; burial and cremation grounds; development of agriculture and village industries; library and reading rooms and community listening etc. The discretionary functions relate to the establishment of maternity and child welfare centres, medical relief and first aid, agriculture credit, famine relief etc. The Government

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1. Ibid., p. 55.

2. Annual Administration Report, Development and Panchayat Department, Punjab, 1963-64, p. 12.

3. The Punjab Gram Panchayat Act, (1952), Sec. (19).

has the power to direct that these discretionary functions should also be treated as obligatory.<sup>1.</sup>

All these functions are vast and varied. Panchayats can only perform them effectively if they have sufficient funds at their disposal. The main sources of their income are:-

- (i) House tax;
- (ii) Tax on professions, trades, callings and employment (other than agriculture);
- (iii) Surcharge duty on transfers of properties;
- (iv) Service fees;
- (v) Fees for registration of animals;
- (vi) Water rate;
- (vii) Income from properties, investments and remunerative undertakings;
- (viii) Government grants;
- (ix) Loans under revenue earning schemes; and
- (x) Public donations.

The income<sup>2.</sup> of Panchayats from all the sources for the years 1952-53 to 1960-61 is shown in table (12) and Government grants and loans advanced to them from 1961-62 to 1965-66 are shown in table (13) below.

1. Ibid, Sec.19(2)

2. Information regarding income of Panchayats for the period after 1960-61 was not available with the office of the Director of Panchayats, Punjab. It has therefore not been possible to draw any conclusions about the impact of Panchayati Raj on the collection of Panchayat taxes.

TABLE (12)

INCOME OF PANCHAYATS from 1952-53 to 1960-61.

(Rupees in Lakhs)

Year	Taxes	Govt grants.	Grants from Local and other bodies	Voluntary contribs.	Misc.	Total
1952-53	8.73	8.24	0.20	52.20	2.57	51.94
1953-54	13.30	10.31	0.72	99.17	8.43	131.93
1954-55	12.03	38.38	1.90	11.41	21.20	84.92
1955-56	15.20	50.65	1.73	12.21	26.57	106.36
1956-57	17.48	91.71.	2.54	14.63	62.75	189.11
1957-58	15.85	71.81	3.11	16.91	63.04	175.72
1958-59	42.70	64.88	4.35	18.12	66.10	196.15
1959-60	32.82	65.93	5.67	15.79	75.78	195.99
1960-61	36.37	98.69	3.56	16.43	131.43	286.48

TABLE (13)

INCOME OF PANCHAYATS FROM GOVERNMENT GRANTS and LOANS from 1961-62 to 1965-66  
(Rupees in Lakhs)

Year	Statutory Grant equal to 10 per cent of land revenue.	Special Grants for Muafis and Jagirs	Judicial Grants	Grants for holding unanimous elections	Library grants	Total grants	Loans under Revenue earning schemes
1961-62	21.67	0.70	0.90	44.51	0.10	67.88	5.80
1962-63	20.36	0.65	1.10	-	-	22.11	6.20
1963-64	20.26	0.50	1.07	10.48	0.10	32.41	5.00
1964-65	20.70	0.55	0.91	-	0.10	22.26	4.50
1965-66	20.09	0.53	1.09	-	0.10	21.81	1.00



Of the Government grants the statutory grant which is equivalent to 10 per cent of the land revenue collected in the Panchayat area is significant. This amounts to approximately Rs. 2.2 million a year. The average annual income of a Panchayat from this grant works out to be Rs. 163, whereas it is Rs. 1700/- from all sources. Loans granted to Panchayats under the revenue earning schemes have been fluctuating every year, ranging from a maximum of Rs0.62 million during 1962-63 to a minimum of Rs.0.10 million during 1965-66. This gives an average loan of Rs.46 per panchayat during 1962-63 and Rs.7 during 1965-66.

These figures indicate a very dim financial position of the panchayats. The grant of broad powers to Panchayats to establish and to maintain multifarious services without adequate finances is meaningless.

Panchayats have extensive administrative powers also. For instance, they can order the owner or the occupier of any building or land to construct cess pools or other receptacle for filth, and require them to keep their building or property in a sanitary state.<sup>1.</sup>

Panchayats also have the power to impose a fine on persons who disobey any of their orders.<sup>2.</sup> Further, if any work required to be done under the provisions of the Act is not executed within the prescribed time, the panchayat itself can get it done and recover the costs of performing it from the person concerned.<sup>3.</sup> A Panchayat has also the power of introducing

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1. Punjab Gram Panchayat Act (1952), Sec. (28).

2. Ibid., Sec. (23).

3. Ibid., Sec. 21(2)

prohibition<sup>1</sup>. within its area by vote of at least two-thirds majority of panches<sup>2</sup>. In addition to its powers to tax the residents of its area, a panchayat can raise a fund by imposing a special tax on the adult male members. The fund can be used for the construction of any public work of general utility. It may exempt any member from the payment of this tax in lieu of doing voluntary labour or having it done by another person on his behalf, provided, that in the case of an emergency manual labour may be compulsorily imposed without payment and if a person does not perform such labour without sufficient cause, he shall be liable to be punished with fine.<sup>3</sup> The use of compulsion to do voluntary labour for any public work at a time other than emergency is ironical.

A Panchayat also exercises judicial authority. The Government may also confer enhanced powers on any panchayat or elected representatives of a group of panchayats. In the latter case, the panches of the panchayats concerned elect five Adalati (Judicial) panches from amongst themselves. The Adalati panches constitute an 'Adalati' panchayat which exercises jurisdiction over the combined panchayat areas of the panchayats concerned. The criminal jurisdiction of ordinary panchayats extends to minor offences under the Indian Penal Code and various State Acts, such as minor thefts, trespasses, encroachments on public property, public nuisance, obscene songs etc. etc.

1. 'Prohibition' means 'ban on sale or serving of alcohols'.

2. Punjab Gram Panchayat Act, (1952), Sec. 26(I).

3. Ibid., Sec. (87)

A Panch is not allowed to sit in judgment in a case wherein he is a party or in which he may be deemed to be interested. Panchayats may sentence the accused to a fine not exceeding one hundred rupees or if given enhanced powers, to a fine not exceeding two hundred rupees. The civil and revenue jurisdiction of ordinary panchayats extends to trial of suits involving a value of less than two hundred rupees only and that of Panchayats with enhanced powers to suits not exceeding five hundred rupees.

All the Panchayats of the State disposed of over 400,000 civil cases and effected compromises in over 65 per cent cases during 1953-1961.<sup>1</sup> They have thus proved useful in providing inexpensive and expeditious justice to the villagers, and in reducing litigation.

The Punjab Panchayat Samitis and Zila Parishads Act, 1961 provided for the creation of a Panchayat Samiti at the block or tehsil level.<sup>2</sup> The Government however, decided to constitute a Panchayat Samiti for a block, mainly for two reasons. First, Block had been the basic unit of community development work. It had a certain pattern of staff consisting of a Block Development Officer, Extension Officers and Village Level Workers. The Government felt that the conversion of this area into an effective self governing unit would leave all the procedures and methods of development work undisturbed which had now been transferred to Panchayat Samitis. Second, the average population of a tehsil being three lakhs as compared to 70,000 of a block would have made the Panchayat Samiti too remote from the villagers.

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1. Partap Singh Kairon, Chief Minister, Punjab, 'Panchayati Raj dawns in Punjab,' The Tribune, Oct. 1, 1961.

2. P.S. & Z. P. Act, 1961 Sec. (3)

A Panchayat Samiti embraces an average of 60 panchayats.

It is composed of:

- (i) 19 primary members out of which 16 are elected by the panches and sarpanches of panchayats in the block from amongst themselves, two by cooperative societies and one by market committees in the block.
- (ii) 6 co-opted members - two women and four representing scheduled castes and tribes.
- (iii) Certain associate members, they being members of the Punjab Legislature having their constituency wholly or partly in the block; and
- (iv) 2 Ex-officio members, the Sub. Divisional Officer and Block Development and Panchayat Officer.

The associate and ex-officio members do not have the right to vote.

The primary and co-opted members elect from amongst themselves a Chairman (Pradhan) and a Vice-Chairman (Up-Pradhan).

A Zila Parishad is constituted at the district level. It consists of:

- (i) 2 members elected by the primary members of the Panchayat Samitis in the district from amongst themselves;
- (ii) the Chairman of every Panchayat Samiti in the district;
- (iii) the Deputy Commissioner of the district;
- (iv) every member of Parliament, the Punjab Legislative Assembly and the Punjab Legislative Council representing the district or any part of it; and
- (v) Co-opted members - at least two women and five members of scheduled castes and tribes (if not elected).

The members excluding those in (iii) and (iv) above elect a Chairman and a Vice-Chairman from amongst themselves.

There are 20 districts and 229 blocks in the State (See Map II on the next page). Panchayati Raj has not been introduced in the district of Lahaul and Spiti on account of its undulating topography, difficult accessibility and other problems. Zila Parishads and Panchayat Samitis, thus, exist in 19 districts and 227 blocks (except for the two blocks of Lahaul and Spiti).

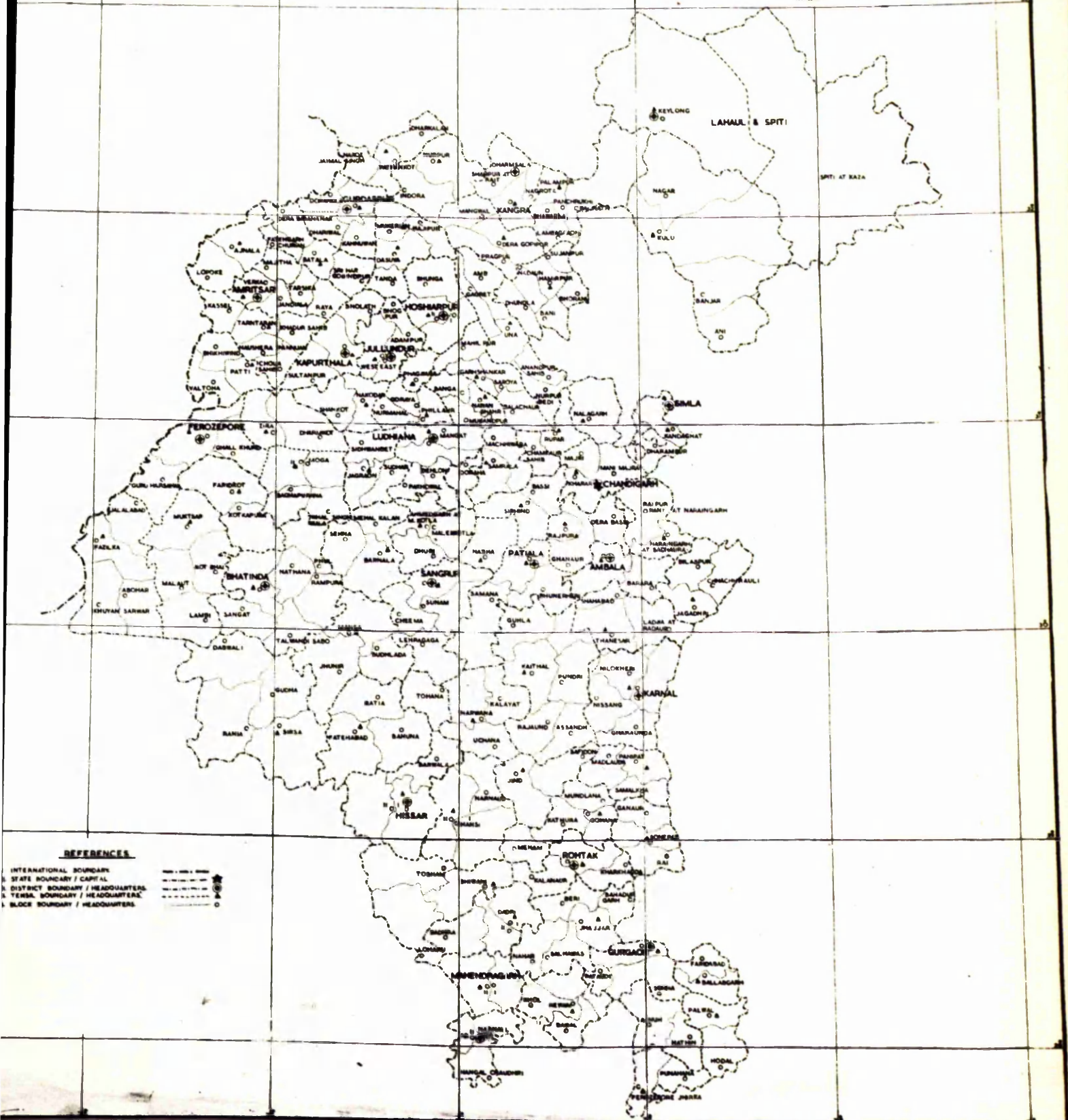
The first general elections to these Panchayat Samitis and Zila Parishads were completed in October, 1961. The 3rd general elections to Panchayats in the State had taken place in January, 1964 on the expiry of their normal term of three years. In order to make the term of office of members of Panchayats coincide with that of the two higher Panchayati Raj bodies, the Government decided to hold the second general elections to Panchayat Samitis and Zila Parishads during May, 1964 instead of October 1964 (when they were normally due). The Punjab Panchayat Samitis and Zila Parishads Act, 1961 was accordingly amended. A further amendment in the Act was also made whereby the term of Panchayati Raj bodies at all the three levels was increased from 3 to 5 years.

Elections to Panchayat Samitis and Zila Parishads commenced in May, 1964 but were not complete till November, 1966 when the State was re-organized. They were postponed several times on account of heavy floods, sowing season, Indo-Pakistan conflict (September 1965) and various other administrative reasons. This abnormal delay of two years in the completion of elections reduces not only the psychological impact of Panchayati Raj but also arouses

# MAP OF PUNJAB

0 10 20 30 40 50 60 70  
MILES

**REFERENCES**  
 ——— INTERNATIONAL BOUNDARY  
 ——— STATE BOUNDARY / CAPITAL  
 ——— DISTRICT BOUNDARY / HEADQUARTERS  
 ——— TENSIL BOUNDARY / HEADQUARTERS  
 ——— BLOCK BOUNDARY / HEADQUARTERS



suspicion of motives of the Government. Vital statistics about Panchayati Raj as it existed in October 1966 are given in Appendix (III).

Panchayat Samitis are obliged to provide for and carry out 57 duties which are grouped under broad categories of Agriculture, Animal Husbandry and Fisheries, Health and Rural Sanitation, Communications, Social Education, Cooperation and Miscellaneous.<sup>1</sup> They also act as the agent of the Government for formulation and execution of the Community Development Programmes<sup>2</sup>. Nearly 64 schemes previously executed by the Government departments have also been transferred to Panchayat Samitis.<sup>3</sup> A Panchayat Samiti is further required to exercise supervision and control over the performance of administrative duties of Panchayats within its jurisdiction and to render such technical and financial assistance as they may require for the implementation of development schemes.<sup>4</sup>

The functions of Panchayat Samitis are thus, in name, enormous. A scrutiny of these functions would reveal that (i) some of these functions are vaguely defined e.g. creation of a new outlook among the people; (ii) there is a good deal of overlapping between the functions of Panchayat Samitis and those of Panchayats. For example, the Panchayats are to provide for

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1. Ibid., Sec. (41).

2. Ibid., Sec. (10)

3. Secretary to Government Punjab, Development and Panchayat Department. Memo, No. PS/FC(D) 62/43, 20th January, 1962.

4. P.S. & 2.P.Act, 1961 Sec.(44)

a supply of water for domestic use, and cattle while the Panchayat Samitis are to make the provision for the supply of protected drinking water. The panchayats are to provide for libraries and reading rooms but the Panchayat Samitis are also required to establish and popularise libraries. The sphere of these common functions remains ill defined and therefore interpreted differently.

The sources of revenues of Panchayat Samitis are the local rate,<sup>1</sup> various taxes, fees from markets, rest houses, supply of drinking water, etc., income from plying of ferries, holding of cattle fairs, etc. The Samitis also receive Government grants equivalent to 10 per cent of land revenue collected in the Samiti area. The average annual income of Panchayat Samitis from their own sources during 1961-62 to 1965-66 was as shown in the table below.

TABLE (14)

AVERAGE ANNUAL INCOME OF PANCHAYAT SAMITIS from 1961-62 to 1965-66.

(Rs. in lakhs)

Local rate	Taxes & fees	Other Sources	Total
61.12	63.30	23.42	147.84

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1. Local rate is levied on land at a particular rate on its annual value.



There are 227 Panchayat Samitis in the State. The average income per Panchayat Samiti therefore works out to about Rs. 65,000 per annum.

A statement showing the grants and loans advanced to them from 1961-62 to 1965-66 is given in the table below.

TABLE (15)

INCOME OF PANCHAYAT SAMITIS FROM GRANTS AND LOANS FROM 1961-62 to 1965-66  
(Rupees in Lakhs)

<u>Nature of Grant.</u>	1961-62.	1962-63	1963-64	1964-65.	1965-66.	Total
<u>Statutory Grant</u>	-	13.56	13.56	13.56	13.61	54.29
Grants under transferred schemes of other Departments	-					
(a) Animal Husbandry	-	5.12	-	-	-	5.12
(b) Agriculture	-	13.82	23.87	21.09	23.96	82.74
(c) Health	-	1.38	0.68	0.68	0.65	3.39
(d) Fisheries	-	0.65	0.64	0.66	0.66	2.61
(e) Industries(Poultry)	-	2.31	-	1.13	0.61	4.05
(f) Education	-	10.94	10.00	-	12.00	32.94
(g) Irrigation	-	-	-	1.56	0.03	1.39
Total Grants	59.00**	47.78	48.75	38.48	51.52	186.53
<u>Loans</u>	-	-	10.81*	15.23	14.60	40.64

\* Based on statistics supplied by the Director of Panchayati Raj, Punjab, Chandigarh

\*\* Break up of this amount could not be obtained, inspite of author's efforts.

Its scrutiny would reveal that the annual average statutory grant and grants on transferred schemes per Panchayat Samiti work out to be Rs.6,000 and Rs. 14,500 respectively. The average annual loan per Panchayat Samiti is Rs.6,000. A Panchayat Samiti thus finds resources to the tune of Rs. 91,500 which is obviously not commensurate with the nature and extent of responsibilities vested in them.

A Zila Parishad advises, supervises as well as coordinates functions of the Panchayat Samitis in the district. It examines and approves their budgets, issues them directives and coordinates their development plans. It further coordinates the schemes which are common to two or more of them. A Zila Parishad also advises the Government on various development activities within the district as well as matters connected with agriculture, animal husbandry, fisheries and communications. Zila Parishads also execute 93 schemes entrusted to them by various Departments of the Government, on necessary funds being placed at their disposal.<sup>1</sup>.

Zila Parishads have no power of taxation or levy of fees. Their income consists of share in land cess and state taxes as prescribed, grants from All-India bodies, income from endowments or trusts administered by them, income of District Boards (as they existed before the formation of Zila Parishads) as the Government may allocate to them, donations from public, contributions as may be levied on Panchayat Samitis, Government grants and loans. A statement of the income of Zila Parishads from 1962-63 to 1965-66 is given in the table below.

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1. Punjab Government Gazette, dated 23rd Feb. 1962.

TABLE (16)

INCOME OF ZILA PARISHADS from 1962-63 to 1965-66 (Rupees in Lakhs)

	1962-63	1963-64	1964-65	1965-66	Total
1. Share of local rate	3.14	3.14	3.14	3.14	13.56
2. Ad hoc grants	8.44	8.44	8.44	5.20	30.52
3. Grants under transferred schemes of other departments					
(a) Agriculture	-	22.31	12.94	10.46	45.71
(b) Animal Husbandry	-	-	0.15	0.15	0.30
(c) Health	-	0.93	0.87	0.87	2.67
(d) Industries	-	3.61	-	0.57	4.18
Total Grants	8.44	35.29	22.40	17.25	83.38
4. Loans	-	9.50	12.30	13.70	35.50

The statement shows that the average annual income of a Zila Parishad from its share of local rate is about Rs. 314,000, ad hoc Government grants amount to Rs. 44,500, grants for the execution of transferred schemes come to Rs. 93,000, and loans form Rs. 62,000; thus the total funds amount to Rs. 513,500.

Government aid to all the three tiers of Panchayati Raj was estimated at about two per cent of the total revenue of the State.<sup>1</sup> In contrast the States

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1. Report of the Punjab Administrative Reforms Commission, 1966

of Maharashtra and Madras rendered financial help to their Panchayati Raj bodies to the extent of 22 per cent of their total revenues, while Andhra Pradesh allocated 19 per cent of its total revenue and Rajasthan and Orissa each contributed 12 per cent of their total revenues<sup>1</sup>.

From the above discussion we may broadly draw following conclusions:

- (i) The three tiers of Panchayati Raj are interlinked through a varied system of elections - elections to Panchayats are direct, to Panchayat Samitis indirect, and Zila Parishads are composed of almost ex-officio members.
- (ii) The Panchayats have been entrusted with vast civic and development functions without requisite funds at their disposal.
- (iii) The Panchayat Samitis occupy the dominant position whereas the Zila Parishads are designed to function only as advisory, supervisory and coordinating bodies.
- (iv) The lower tiers are assisted, supervised and controlled by the higher tiers.
- (v) The panchayats alone exercise judicial authority; and
- (vi) The Panchayati Raj bodies do not have financial resources commensurate with the nature and extent of their responsibilities.

All this necessitates the rationalisation of the structure and functions of the P.R. bodies. They can perform their various functions successfully only if they have adequate financial resources.

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1. Report of the Study Team on Panchayati Raj Finance (1963), Annexure VIII, pp.73-76.

### The Administrative Structure

The executive authority of a Panchayat is vested in its non-official elected chairman (the Sarpanch) as well as its Secretary who is its permanent employee. The Sarpanch receives all moneys creditable to the panchayat fund, operates the fund, controls panchayat employees and attends to all the correspondence on behalf of the Panchayat. The Panchayat Secretary collects taxes imposed by the Panchayats, maintains accounts and records, organises voluntary labour and secures liaison between panchayats and officials.

There is at present one Secretary for a group of ten to twelve panchayats. This ratio seems to be unsatisfactory. Besides, a Panchayat Secretary is almost the lowest paid functionary in the State in the pay scale of Rs. 80-5-1300 (consolidated)<sup>1</sup>. Many of them are not even matriculates. Twenty per cent of them have not undergone any training. It is no wonder that the Director of Panchayats observes that they were not performing their duties satisfactorily.<sup>2</sup> It is desirable to have one competent, well trained and properly paid Secretary for each Panchayat.

The executive authority of a Panchayat Samiti vests in its Chairman and the Block Development and Panchayat Officer (BDPO) who functions as its Executive Officer.<sup>3</sup> The Vice Chairman exercises the powers of the chairman in his absence and the Executive Officer performs this function if both are absent. The B.D.P.O. exercises his own independent, statutory executive authority also<sup>4</sup>.

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1. P.S. & Z.P. Service Rules (1965), Appendix A.

2. Address of the Director of Panchayats, Punjab, to the Panchayati Raj Staff. The Tribune, dated March 6, 1966.

3. P.S. & Z.P. Act (1961) Sec. (31).

4. Ibid., Sec. (32)

The Panchayat Samiti staff consists of two categories:-

(i) The first category comprises Government servants whose services are placed at the disposal of the Panchayat Samitis. Such personnel mostly belong to specialised technical departments and include the Block Development and Panchayat Officer, Extension Officers (Agriculture, Animal Husbandry, Cooperation, Panchayats and Industries), Social Education and Panchayat Officer (SEPO), Lady Social Education Officer (Mukhya Sevika), ten village Level Workers (Gram Sevaks) and two Women Village Level Workers (Gram Sevikas).

The Government servants are governed by the conditions of the service to which they belong. The Panchayat Samiti has the power to impose minor punishments like censure and stoppage of increment, while the power to inflict major punishments like suspension, reduction in rank, removal from service and dismissal vests in the Government.

(ii) The second category consists of officials who are encadared in the Punjab Panchayat Samitis and Zila Parishads Services and are directly employed by the Panchayat Samitis. The Services comprise the posts of Head Clerks, Assistants, Accountants, Stenotypists, Clerical Establishment, Taxation officer, Tax collector, Medical Officer of Rural Dispensaries, Lady Health Visitors, Vaccinators, Draftsmen, Overseers, Tracers, Librarians, Panchayat Secretaries etc. The Government has fixed the strength of each category of posts in every Panchayat Samiti and Zila Parishad. They enjoy prescribed scales of pay. A Panchayat Samiti may however, create additional posts with the prior approval of the Government. These

employees may be suspended, dismissed or otherwise punished by the Panchayat Samiti.

A Panchayat Samiti has also the power to call upon any Government officer serving in the block, and with the previous permission of the Deputy Commissioner, any officer serving in the district to attend any of its meetings and tender advice in respect of any matter concerning his department, and perform any duty or execute any work, should it (Samiti) require him to do so.

It is obligatory for a Panchayat Samiti to appoint, out of its own body, three standing committees namely (i) Standing Committee for Finance and Taxation; (ii) Standing Committee for Agriculture Production, Animal Husbandry, Minor Irrigation, Power, Communications and Works; and (iii) Standing Committee for Education, Social Welfare, Public Health and Sanitation, including Rural Water Supply, Cottage Industries, Cooperatives and Housing.

The Block Development and Panchayat Officer is the key official of the Panchayat Samiti. He is its executive officer. His executive authority extends to (i) issuing of notices for meetings of the Panchayat Samiti and its Standing Committees, (ii) exercising administrative control over the employees; (iii) preparing budget; (iv) enforcing resolutions of the Panchayat Samiti; and (v) furnishing reports regarding the progress made in carrying out the resolutions and any other information which the Panchayat Samiti may demand.

In cases of emergency, while both the chairman and the vice chairman are absent, the B.D.F.O. has power to direct the execution of any work or the doing of any act which a panchayat samiti is empowered to execute or do and the immediate execution or doing of which is, in his opinion, necessary for the

service or safety of the public. Similarly he may prohibit, until the matter has been considered by the Panchayat Samiti, the doing of any act which is, in his opinion undesirable in the public interest.<sup>1.</sup>

The Extension Officers who are specialists in their respective fields provide technical knowledge to the Panchayat Samiti. They are amenable to the technical control of their own superior officers, functioning at the district and higher levels.

A Gram Sevak is a multipurpose worker with a strong bias in favour of the dominant function of increasing agricultural production. His duties comprise contacting the villagers in his circle, knowing their problems, and acting as a liaison between them and the Extension Officers. His task is indeed Herculean ranging from the organization of shramdan (Voluntary labour), first aid and distribution of medicine to the entire agricultural and animal husbandry programmes. His average jurisdiction is 11-12 villages, with a population of 14,000. Most of his time is spent in the village where he keeps his headquarters and therefore he visits 45 per cent of the total villages, in his circle, less than once a month.<sup>2.</sup> This means fewer contacts with the villagers as well as the block specialists. He is not considered enough qualified to act as a channel for the transmission of technical knowledge to the villagers.<sup>3.</sup> Before the introduction of Panchayati Raj

1. P.S. & Z.P. Act, 1961, Sec. (54)

2. Government of India, Planning Commission, Programme Evaluation Organisation Fifth Evaluation Report, (1958) p. 12

3. Ibid., p. 28.



he was concerned with the distribution of grants and loans to the villagers. But with the passing of powers to allocate schemes and funds to Panchayats or Panchayat Samitis, he seems to have lost his moorings. "When this "give away" phase tapered off, he found his position had altered and his role in village society became nebulous".<sup>1</sup> Following the recommendations of Ram Subhag Singh Committee on Inter-departmental and Institutional Coordination for Agricultural Production (1963), the Punjab Government made the Gram Sevak a purely agricultural extension worker.<sup>2</sup> He is thus no longer a multipurpose Extension Worker. This new role still needs a smaller area assigned to him so that he can work effectively in the sphere of agriculture which too is not a small job.

The executive authority of a Zila Parishad vests in its Secretary. He is appointed by the Government though proposed by the Zila Parishad. He exercises administrative control over the office staff. The Government employees whose services are lent to the Zila Parishad are placed under the administrative control of the Deputy Commissioner.

A Zila Parishad has also the power to call any officer of a Government department serving in the District to attend any of its meetings and tender advice in respect of matters concerning his department.

A scrutiny of the administrative structure sketched above leads us to

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1. Hugh Tinker, "The Village in the framework of Development," in Braibanti and Spengler (Ed.), Administration and Economic Development in India, (1964), p. 118.
  2. Annual Administration Report, Development and Panchayat Department, Punjab, 1963-64, p. 14.

the following conclusions:-

i) The Government servants placed at the disposal of Panchayat Samitis are under diarchical system of supervision and control. This results in administrative inefficiency;

ii) Coordination is unattainable under divided control and responsibility. The Departmental Heads often deal directly with their specialists, keeping the Executive Officer of the Panchayat Samiti out of the picture. The Government have now directed the Heads of District Offices to route all their correspondence meant for Extension Officers through the Executive Officers concerned.<sup>1</sup> It has set right the procedure but at the same time made it too lengthy and dilatory.

iii) Executive authority of a Panchayat Samiti is vested in its elected non-official chairman also. This often leads to the trial of strength (and strained relations) between the Chairman and the Executive Officer.

iv) A Panchayat Samiti or a Zila Parishad has no control over the district officers. They can requisition their attendance in their meetings and ask them to execute their works only through the Deputy Commissioner. This procedure is neither simple nor straight. As Samiti-work is in addition to their normal duties, it creates an attitude among the District Officers that Panchayati Raj is not their business.

v) The Government servants and the staff borne on the Panchayat Samitis and Zila Parishads Services, though work under the same body, have different service conditions and therefore lack harmony.

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1. Punjab Government Development and Panchayat Department, Memo No. 6950 and 64/34018, dated 18th November, 1964.

The strengthening of Zila Parishads and the transfer of all the District Officers concerned, with their entire staff to their control, making them responsible to their Chief Executive Officer on the pattern of the State of Maharashtra, may secure a hierarchical organization resulting in better co-ordination and efficient working.

### Control and Supervision.

Control and supervision of P.R. bodies are needed to ensure the compliance of legal provisions in the discharge of their functions. They need education and guidance also to understand their objectives and to develop an attitude of co-operation among themselves.

There are three-fold provisions for the control, supervision and guidance of P.R. bodies in the Punjab, namely, by higher tiers, Deputy Commissioner, and the Directorate of Supervision and Guidance.

#### (i) Supervision by Higher Tiers.

The lower tiers of Panchayati Raj are supervised and assisted by the immediate higher tiers. For example, the Panchayat Samitis are required to supervise the administrative functions of Panchayats and to render them such technical and financial assistance as they may need. Similarly Zila Parishads are required to advise, supervise and co-ordinate the functions of Panchayat Samitis, examine and approve their budgets and issue necessary directions for the efficient performance of their duties. But in practice, this means little, as the higher tiers have hardly any effective mechanism to supervise the execution of the duties of the tiers subordinate to them.<sup>1</sup>

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1. Henry Maddick, "Supervision and Guidance of Panchayat Raj Bodies", Indian Journal of Public Administration, Vol. VIII, No. 4, (1962), p. 507

ii) Supervision by the Deputy Commissioner.

Although the Deputy Commissioner is an ordinary member of the Zila Parishad, he has extensive powers of control and supervision over the P.R. bodies. He is concerned with the conduct of elections, co-option and resignation of members. He co-ordinates the work of the various departments of the Government in the district, and grants permission to a Panchayat Samiti to summon the district level officers for advice. He may also suggest improvements in the working of Panchayat Samitis and Zila Parishads. Every Panchayat Samiti and Zila Parishad is required to send a copy of the proceedings of its meetings, budget and annual report, to him.<sup>1.</sup>

He further has full powers of entry and inspection of all the property and works in progress under the control of a Panchayat Samiti or a Zila Parishad and their documents. In addition, he exercises default powers. If a Panchayat Samiti or a Zila Parishad does not perform any duty required of it under the Act, he may fix a period for the performance of the same, failing which he may appoint some other person or agency to perform it and direct that the expense incurred be paid by the Panchayat Samiti or the Zila Parishad concerned. In case such expenditure is not paid within the prescribed time, he may order the persons having the custody of the Panchayat Samiti fund or Zila Parishad Fund to make payment.<sup>2.</sup>

As the representative of the State Government in the district the Deputy Commissioner may recommend to the Government that a Panchayat Samiti or a Zila Parishad be superseded if it has proved to be incompetent to perform or has persistently made default in performance of its duties or has

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1. P.S. & Z. P. Act, 1961, Sect. 101(2)

2. Ibid., Sect. (108)

exceeded or abused its powers.<sup>1.</sup> He may cancel or suspend the resolution of a Panchayat Samiti or a Zila Parishad, if in his opinion, its execution is likely to cause danger to human life, health or safety or is likely to lead to a riot or affray, and inform the Government accordingly.<sup>2.</sup> He is also the appellate and revisional authority for orders passed by the Panchayat Samiti inflicting any penalty on its employees.

The Deputy Commissioner, is assisted by a District Development and Panchayat Officer in the discharge of his duties and powers referred to above.

The role of the Deputy Commissioner in the Panchayati Raj set up in the Punjab can thus be viewed as that of presiding from without over the decisions and activities of the Panchayat Samitis and Zila Parishads with direct powers of intervention to ensure that they do not deviate from their prescribed functions.

iii) Guidance by the Directorate of Supervision and Guidance. The Director of Supervision and Guidance supervises the functioning of Panchayati Raj bodies of the State. He is assisted by Assistant Directors who form the field staff going round the Panchayati Raj units advising in matters of procedure, accounts, office work etc.

Punjab is the only State in the Indian Republic which has established such a Directorate. In other states their imagination has not gone further than putting this burden on the shoulders of the District Collector.<sup>3.</sup> This

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1. Ibid., Sect. (104)

2. Ibid., Sect. (102)

3. Henry Maddick, "Control, Supervision and Guidance of Panchayati Raj bodies", Indian Journal of Public Administration, Vol. VIII, No. 4, p. 507

Directorate was however, abolished as an economy measure in November 1962.<sup>1.</sup>  
Its revival would be a much desired step.

#### Administrative Organisation at the State Headquarters

The Commissioner for Agricultural Production and Rural Development is the Administrative Secretary for Panchayati Raj. He is assisted by the following officers:-

- i) Superintending Engineer, Panchayati Raj Work Circle, who is responsible for the execution of Panchayati Raj works.
- ii) Deputy Secretary, Development (Establishment); he is concerned with establishment matters concerning government staff on deputation to Panchayati Raj bodies and the staff, recruited directly by them;
- iii) Deputy Development Commissioner (Women programme); she exercises control over women personnel engaged in development work in the rural areas of the State.
- iv) Director, Panchayats; he is responsible exclusively for the functioning of Panchayats in the State.
- v) Director Supervision and Guidance (Panchayati Raj); his duties are to afford suitable guidance and effect requisite supervision over Panchayat Samitis and Zila Parishads.
- vi) Director Panchayati Raj; he is concerned mainly with the Panchayati Raj legislation;

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1. Secretary to Government, Punjab Development and Panchayat Department.  
Memo. No. 18741-ECDI-62/111434 dated 23rd Nov. 62.

- vii) Deputy Secretary, Development (Training); he is responsible for the functioning of Training centres for the officials and non-officials of Panchayati Raj.
- viii) Controller, Panchayati Raj Finance; he is responsible for the inspection of the records and accounts of Panchayat Samitis and Zila Parishads. His work is supervised by the Deputy Secretary of the Development Department.

A scrutiny of the above structure shows that:

- i) there is no single officer responsible for the functioning of Panchayati Raj as a whole. Whereas the Director of Panchayats is responsible for the functioning of Panchayats alone, the Director of Panchayati Raj is responsible for Panchayat Samitis and Zila Parishads legislation.
- ii) no officer is responsible for effecting coordination of the work of officers at the state level connected with the Panchayati Raj;
- (iii) there are no direct well defined links between the headquarters and the field.

A Directorate of Panchayati Raj constituted more or less on the pattern of Directorate of Urban Local Bodies may achieve the desired results.

CHAPTER V  
RECRUITMENT

The range of functions, size, grade and resources of a local body determine the pattern and strength of its staff. In U.K. the local authorities, in view of the enormous varieties of their functions and vast resources, employed more than 1,800,000 people.<sup>1</sup> (7.69 per cent of the working population) in 1964. In contrast, local authorities in the Punjab, with limited functions and meagre resources employed 10,320<sup>2</sup> persons only in 1951. The number rose to 39,030<sup>3</sup> (0.54 per cent) of the working population of the state in 1965. This four-fold increase in the number of local bodies' employees could be attributed to the extension of their functions as agencies for development and welfare work and the augmentation of their resources by state grants, etc.

The Punjab Municipal Act, 1911, and the rules made thereunder do not lay down a staffing pattern for a municipal body.

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1. NALGO, Evidence submitted to the Committee on Staffing, (1964), p.6.
  2. Census of India, (1951), Vol.III, Pt1-A, pp.32-33.
  3. Government of India. Central Statistical Organisation. Statistical Abstract of the Indian Union (1965), p.444



The Act provides for only one statutory <sup>1.</sup> office, that of the secretary (who is the head of the municipal office in case there is no Executive Officer). A municipal committee can, however, be required by the state government to appoint a Medical officer of Health, a Municipal Engineer and an Accountant. The committee is free to appoint such other officers and servants as it deems necessary for the efficient performance of its duties.

The expenditure of the municipal committees on their establishment constituted 11.4 per cent <sup>2.</sup> of their income in 1951-52. It rose to 24 per cent <sup>3.</sup> by 1961-62. This increase in expenditure on personnel was however not consistent with the load of work. The government also felt that the improportionate increase in the number of municipal employees meant reduction in civic amenities and utility services. The municipal committees were, therefore, directed that expenditure on their establishment should not exceed 15 per cent of their income. <sup>4.</sup>

To prevent any extravagance on establishment the government have further empowered Deputy Commissioners to direct municipal

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<sup>1.</sup> P.M.A., 1911, Sec.38(1).

<sup>2.</sup> Report on the working of municipal committees in the Punjab, 1951-52.

<sup>3.</sup> Ibid., 1961-62.

<sup>4.</sup> Punjab Government Memo. No.9587-CIII-65/48348 dated 10.12.65.

committees to reduce the number of their employees or the remuneration assigned to them if considered excessive. The municipal committees can however appeal against this direction to the state government whose decision is final.<sup>1.</sup> Such a precaution, though very effective in preventing unnecessary appointments and excessive remuneration, infringes upon the autonomy of the local bodies. It can be substituted better by laying down a staffing pattern for each class of municipality as is done in the case of Panchayati Raj bodies, who are required to obtain prior approval of the government if they feel obliged to incur expenditure in excess over the establishment as sanctioned under their respective staffing patterns.<sup>2.</sup>

The staffing pattern would, however, require revision to be consistent with changing needs. For instance, the basic staffing pattern of one Extension Officer for each field of development activity evolved for each Community Development Block served the useful purpose of ensuring that all fields of development activity within the scope of the block agency received attention. This pattern requires modifications due to changing quantum of work in different fields or in the same field in

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1. P.M.A. 1911, Sec.42.

2. P.S. & Z.P. Act, 1961, Sec.33(a)

different Panchayat Samitis. V.L.W.'s have a large jurisdiction and heavy workload. Their number, therefore, needs to be considerably increased. Similarly, two Gram Sevikas are inadequate for one block. The Agriculture Extension Officer is, in the same way, heavily worked. Agriculture being the most important extension activity, he has to bear the greater share of responsibility for supervision of V.L.Ws. Besides, the administrative tasks connected with supplies of seeds and fertilisers, and grant of loans and subsidies keep him quite busy. Another Agriculture Extension Officer, therefore, needs to be added. The other Extension Officers have comparatively little work. There is, thus, need for a realistic re-assessment of present and expected future, in each field of development activity and making adjustments in the staffing pattern in the light of this re-assessment.

After the staffing pattern of local bodies has been determined (and modified as and when need arises) the recruitment of their staff involves questions of equality of opportunity, appropriate qualifications, age, and an impartial recruiting agency.

### Equality of opportunity

Equality of opportunity is a constitutional guarantee

subject to certain exceptions. <sup>1.</sup> In actual practice, however, this equality is limited by the existing under-developed educational system, the all-India percentage of literacy being 24 and that of Punjab 24.2 only. <sup>2.</sup>

One of the exceptions to the fundamental right of equality of opportunity is the power of the state to reserve posts for any class of citizens which is not adequately represented in the services. Seats for scheduled castes/tribes and backward classes of the citizens have been accordingly reserved in the services of the Punjab Government, <sup>3.</sup> the municipal services <sup>4.</sup> and Panchayat Samitis and Zila Parishad Services <sup>5.</sup> in the proportion of 19 per cent for scheduled castes/tribes and 2 per cent for backward classes. These are minimum proportions; candidates belonging to these categories are eligible for unreserved posts also.

The State Government and the local bodies have been following these proportions as candidates from these classes become available even though they may not possess as good

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1. The Constitution of India, (1950), Article (16).

2. India, 1965, p.35 and Facts about Punjab, (1965), p.1.

3. The Constitution of India, Art. (335).

4. Punjab Act No.28 of 1956, Sec.39(2)

5. P.S. and Z.P. Services Rules (1965), Sec.8(4)

qualifications as others. But the requisite number of candidates from these classes has not been forthcoming, especially for higher posts. For instance, only 10 per cent of E.O's and 8.09 per cent of secretaries in municipal committees and 16.1 per cent B.D.P.O's in Panchayat Samitis belong to these classes against their quota of 21 per cent. <sup>1</sup>. Notwithstanding the non-availability of suitable candidates to fill in higher posts reserved for them, these classes are demanding larger proportions of reservation in subordinate posts as a result of increase in their population and by way of compensation for their negligible number in higher posts. They number five million out of the total population of 21 million of the State. <sup>2</sup>. They should therefore be entitled to 24 per cent of posts on the basis of their population.

The Evaluation Committee for Harijan Welfare appointed to review the implementation of various government instructions for reservation inter alia services for the scheduled castes/tribes, recommended in favour of raising the reservation of class III posts to 33 per cent to compensate for their meagre representation in higher posts and also for providing opportunities for promotions to a larger number of them. <sup>3</sup>.

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1. Based on field work.

2. Report of the Evaluation Committee for Harijan Welfare, Punjab Government, (1966).

3. Ibid.

Only 3 per cent of girls and 5 per cent of boys of scheduled castes are educated.<sup>1</sup> The Compulsory Education Act thus seems to be ineffective as yet. Other facilities like the provision of free education to the university level are also not fully utilised.

### Employment of Women

Women progressively enjoy equality of opportunity. In India marriage restrictions exist for employment of women in Indian Administrative Service and Indian Foreign Service. There is no such restriction in other government or local bodies' services. Further, they are not discriminated in respect of salary and other privileges.<sup>2</sup>

In U.K., on the other hand, before 1939 no married women were employed in municipal service and single women had to resign after marriage. They struggled against this discrimination but without success. The impact of war resulting in shortage of manpower helped women to be appointed in local authorities. Discrimination against married women was thus tacitly dropped. In 1964 about 30 per cent of the local authorities staff was female

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1. *Ibid.*

2. Model Municipal Service Byelaws, (1965), para.10.

and women formed 79 per cent of the general division staff. <sup>1.</sup>

In the Punjab, women are employed in those branches of the local government services which are exclusively meant for them. They are, for instance, lady health visitors, nurses, gram sevikas, lady social education organisers, etc. There are very few women even on the clerical staff. The dearth of women personnel in local bodies may be attributed to lack of female education, social customs enjoining seclusion of women from men and the tendency of the employed women to leave the job after marriage. The situation is improving. Female literacy has almost doubled during the last decade. It rose from 8.5 per cent in 1951 to 14.1 per cent in 1961. <sup>2.</sup> But social customs are being overhauled.

According to 1961 census, there are about 1.27 million women with matriculation or higher qualifications in India. Of these only 253,000 are employed, about 185,000 are pursuing higher education and 776,000 are housewives. <sup>3.</sup> The educated housewives could be suitably employed full time or part time in various public services especially in the local government services

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1. J.H. Warren, op.cit., p.39.

2. Government of Punjab, Public Relations Department; Facts about Punjab, (1965), p.51.

3. Report of the Education Commission, Government of India (1966).

because many branches of its administration are directly related to the home, and to the individual members of the family; the greater knowledge and experience of domestic life possessed by women can be turned to account in all sorts of useful ways. <sup>1.</sup> The notion of regular part time work in the public services by educated housewives will enable fullest use of manpower resources and augment the financial resources of the family.

#### Age limits.

Minimum and maximum age limits are prescribed in all types of public services. The Punjab Government has prescribed the minimum age limits of 17 and 21 and maximum limits of 25 and 35 for posts requiring Matriculation and Degree or equivalent qualifications respectively for all types of municipal employees. This is the normal school leaving certificate and degree examination age. There is a case for some types of relaxations:-

- (i) The age limit may be extended in case of persons belonging to socially backward classes in order to provide compensation for ill start and lack of opportunities.
- (ii) The age relaxation may also be desirable in case of employees already in service as a natural course.

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<sup>1.</sup> W.A. Robson, op.cit., p. 366. The Development of Local Government, (1954) p. 366.



- (iii) This concession may be applicable to ex-servicemen, as it seems to be a reasonable practice throughout the world.
- (iv) The relaxation in case of shortage of professional personnel is a reason in itself.
- (v) The relaxation in the case of women as a whole may be a suitable action as they come from socially reserved family backgrounds.

Sometimes the age is purposely fixed at a limit higher or lower than is generally required for a post. For instance, the post of Executive Officer of a municipal committee required a candidate to be above 35 years <sup>1</sup>. when this restriction did not exist elsewhere. This arbitrary fixation denies justice.

### Qualifications

Suitable minimum qualifications must be prescribed for entry into local government services. On the basis of their diverse functions, the municipal staff in the Punjab can be classified in three categories, viz. (i) Administrative, (ii) Professional and Technical and (iii) Clerical.

The Executive officers and Secretaries form the chief

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1. Advertisement in "The Tribune" dated 5th May, 1966, for the post of E.O. Municipal Committee, Ludhiana.

administrative personnel. The Punjab Municipal Act or the rules made thereunder do not lay down any precise qualifications for them. Sometimes arbitrary qualifications are fixed, but even they are relaxed. This leaves little to smell of fairness.

The qualifications possessed by the present incumbents in these posts are shown in the following table:-

TABLE 17<sup>1</sup>.

Qualifications of Executive Officers / Secretaries of Municipal bodies in PUNJAB, as on 31.3.1966.

			Qualifications					
			Academic				Professi- onal	
Categ- ory of officer	No. of posts	No. for whom qualific- ations could be ob- tained	Matric- ulates	Inter- mediates	Grad- uates	Post Grad- uates	Professi- onal Diploma or Degree in Public Administ- ration or Local Gov- ernment	Previous Experience of local bodies
Execu- tive Officer	40	32	5 (15.6)	3 (9.4)	20 (62.5)	4 (12.5)	4 (12.5)	8 (25)
Secre- tary	178	110	61 (55.5)	17 (15.5)	39 (27.2)	2 (1.8)	25 (22.7)	31 (28.1)
(Figures in brackets indicate percentages)								

1. Compiled from the questionnaire in the course of field work (1966)

The above figures clearly show that only 12.5 per cent of the Executive Officers hold the professional qualifications like a Degree or Diploma in Public Administration or Local Government; twenty five per cent of them are not even graduates. Many of them are former assistants imported from the Secretariat or Deputy Commissioners' offices or promoted from the job of a Secretary in the same municipal committee. The Executive Officer being the senior-most officer in municipal administration, the knowledge and training in public administration should be obviously the minimum required of him.

The Secretary is the head of the municipal office. A majority of them (55.4 per cent) are only matriculates and 71.9 per cent of them were appointed straightway to their jobs without any experience of local bodies' work.

Model municipal service byelaws published by the Punjab Government in 1965 for the guidance of the municipal committees however, lay down that the Secretary of a 1st class municipal committee should be B.A., LL.B. with experience in local government work for at least five years; that of a 2nd class municipal committee, B.A.L.S.G.D, with experience in local government work for 3 years, and that of a 3rd class municipal committee, at least Matric/Higher Secondary, with experience in local government work for 3 years, preference to be given to the candidates holding

### Diploma in Local Self-Government. <sup>1.</sup>

While prescription of these minimum qualifications constitutes a great improvement upon the previous situation especially in its recognition of the importance of Diploma in Local Self-Government, obviously this requirement needs to be applied to the qualification prescribed for the post of Secretary of a 1st class municipal committee also.

For professional and technical personnel in higher posts, the appropriate professional or technical qualifications are prescribed by the Government - but personnel of requisite qualifications are not attracted by municipal employment. In 1965, 7 out of 16 (43.7 per cent) class I municipalities were going without Medical Officers of Health and 25 per cent of them without Municipal Engineers; most of class II and all class III municipal committees had to content themselves with appointment of part time officers. <sup>2.</sup>

No professional qualification for accountants is insisted upon. Out of 95 accountants (whose qualifications could be gathered by the author) only 15.8 per cent held 'Qualified Accountant A Grade or B Grade' qualifications. Thus 84.2 per cent did not possess any qualification in accountancy.

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1. Model Municipal Service Byelaws, (1965), para.4.

2. Based on information collected from the Department of Local Self-Government, Punjab, Chandigarh.

The qualification prescribed for entry as a clerk is now Matriculation but a scrutiny of the list of clerks of a few municipalities like Fazilka, Abohar, Ferozepur and Patiala reveals that 63, 41, 39 and 21 per cent respectively of their clerks are not even matriculates. This has brought in inefficiency.

Matriculation/Higher Secondary qualification, under no circumstances, need be relaxed, if clerks are to be expected to perform their duties well, and to be eligible for promotion by post entry studies.

In addition to the appropriate qualifications for various officers, there are certain requirements which are common to them all. The concept of an efficient service variously composed but functioning as one organisation, calls for necessary knowledge of the local government system itself. The degree of knowledge required is different at differing levels. An elementary knowledge, for instance, is called for even at the level of a clerk. The requirement would obviously be more at higher levels. The need of this knowledge extends to the professional and technical officers also who find themselves in a different administrative environment. This is followed in U.K. where 'local government' is always included in the subjects of examinations conducted by the Local Government Examination Board for entry into the service or to be eligible for promotion in it.

In order to keep employees abreast of the current thinking and development in local administration, provision for in-service periodical training is also necessary. Academic knowledge improves the general standard of work. The local bodies' employees should therefore have the freedom and facilities to acquire higher degrees in general education while in service. The provision made by the Punjab University in starting Evening Colleges at Chandigarh, Rohtak, Jullundhur and Simla; and by the Punjabi University at Patiala, is obviously meant to provide coaching facilities to all types of employees including those of local bodies.

Among the Panchayati Raj staff, the B.D.P.O, the Extension Officers and the Village Level Workers are vital functionaries. The posts of B.D.P.O's are filled through three sources (i) fifty five per cent through Public Service Commission (ii) thirty five per cent by promotion and (iii) fifteen per cent from political sufferers and social workers.<sup>1</sup> Qualifications for (i) are Graduation, relaxable to Intermediate in the case of officials of Development Departments with five years experience in rural development work; for (ii) Graduation, relaxable in case of Social Education and Panchayat Officers with a minimum of five years service, out of which four years service should be as block extension officer, and for

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<sup>1</sup>. Punjab Government Financial Commissioner Development letter, No. 15752-3 ECDI-1/15240 dated 9th Oct. 1961.

(iii) Graduation, relaxable at the discretion of the appointing authority, with proof of outstanding work in national movement or in social service. Before 1961, fifty per cent of the posts were filled by the Government themselves, and fifty per cent through the Punjab Public Service Commission. Educational qualifications of the B.D.P.O's in position are as shown in the following table:

TABLE 18<sup>1</sup>.

Qualifications of B.D.P.O's of Panchayat Samitis in Punjab as on 31.3.1966

No. of posts sanctioned	No. in position	Matriculates	Inter-mediates	Graduates in		Post Graduates
				Arts	Science	
227	180	32 (17.7)	8 (4.5)	125 (69.4)	8 (4.5)	7 (3.9)

(Figures in brackets denote percentages)

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1. Office of Director of Panchayati Raj, Chandigarh.

The above figures show that 23.2 per cent of the total number of B.D.P.O's are not even graduates. It is because of the fact that the minimum qualification of graduation prescribed for appointment as a B.D.P.O. has been relaxed in the case of (i) those appointed direct from amongst (a) officials of Development Departments, and (b) political sufferers and social workers and (ii) by promotion from S.E.P.O's grade.

Amongst other things the poor qualifications of B.D.P.O's led the Punjab Community Development Programme Evaluation Committee (1959) to report that 50 per cent of them were inefficient. They felt that the appointments made by the Government were invariably on political grounds with enormous relaxation of qualifications, and even those made by the Punjab Public Service Commission were on the basis of 'routine tests and interviews'.

A B.D.P.O. holds a pivotal position in the Block set up. The position therefore, needs specialised administrative and technical knowledge in a variety of subjects like agriculture, economics, psychology, sociology and social institutions as well as adult education and extension methods. A Post-Graduate degree and specialised training are, therefore, most desirable. <sup>1.</sup>

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1. C. Carl Taylor, India's roots of Democracy, (1965), p.220.



Fifty five per cent of the posts of S.E.P.O's are filled through direct recruitment from among graduates (relaxable to matriculation in case of those possessing 5 years experience of adult education or social work), thirty five per cent by promotion of V.L.W's (at least matriculates) and fifteen per cent from among political sufferers and social workers. Of 215 S.E.P.O's in position in 1965, 25 were non-matriculates, 56 matriculates, 16 intermediates, 114 graduates and 4 post-graduates. Thus about 40.5 per cent were undergraduates and 37.2 per cent had never been to an institute of higher education. Graduation need be the minimum qualification for a S.E.P.O. who is second in command to the B.D.P.O.

All technical personnel possess the basic prescribed qualifications, but they generally come from urban areas with little appreciation and understanding of rural life. While recruiting such staff, special attention needs to be given to the qualities of initiative and aptitude for rural work, to ensure their effective functioning among village folk.

Of the 2,370 V.L.W's working in the state, 21 are Intermediate and Graduates, about 400 are non-matriculates and the remaining are matriculates.<sup>1</sup> The V.L.W. serves primarily as a

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1. Kurukshetra, Jan. 26, 1965, p.27.

catalyst of community self-help effort.<sup>1.</sup> He also provides the community with the will to change and the raison d'etre for it. A village level worker with such poor educational background can hardly be expected to do his job effectively. He is expected to spend 75 per cent of his time for agricultural development programmes. A degree in agriculture is thus essential for performing his duties efficiently. The Government was alive to this need. They decided in 1964 to depute V.L.W's with 3-5 years service, under 35 years of age, in batches of 50, each year at the Agriculture University, Ludhiana, to attend a condensed course of three years. After the completion of this course they are entitled to a Degree in B.Sc. (Agriculture). The educational qualifications of V.L.W's thus need be revised to graduate standard minimum for future appointments. Such a qualification will, further, prepare them for career appointments at a higher level.<sup>2.</sup>

#### Mechanism for Recruitment

Local bodies themselves acted as a recruiting agency till 1955

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1. United Nations Public Administration Office - Report on Public Administration Aspects of Community Development Programme, 1959.
  2. C. Carl Taylor, op.cit., p.222.

for posts carrying a basic pay <sup>1.</sup> of Rs.150/- p.m. The municipal council made appointments by two-thirds majority. This further required government approval. The lower posts with the pay range of Rs.50 to Rs.150 per month are filled by the 'Appointment Committee' of the council consisting of the Chairman, Executive Officer and one member elected by the Council from amongst themselves. The Executive Officer is responsible for making recruitment for the posts carrying a monthly basic salary of less than Rs.50. The usual method in regard to higher posts followed before 1955 was to invite applications by public notification. Thereafter the candidates were interviewed by a special committee appointed by the council from amongst themselves. The selection made by it ~~was~~ to be approved by the Council. The elected members generally succumbed to local pressure and therefore the selection was hardly fair in a number of cases. This was further visible in the case of 'Appointment Committee' for lower posts as it was smaller, the number of posts larger and therefore managed by the members among themselves. The consequence has been that in some local bodies candidates with lower

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1. The term 'basic' pay was coined during the World War Second when additional financial benefit in the form of Dearness Allowance was sanctioned to meet the effect of rising prices. This was done in the hope that prices would come down to prewar level. The method of splitting the salary into two parts, i.e. basic and Dearness Allowance continues.

qualifications and in most instances without the best claims for the appointment have been imposed. All this led the Government to enact the Punjab Public Service (Additional Functions) Act, 1955 providing therein that, except in the case of the appointment of an Executive Officer of a municipal committee, recruitment to all posts carrying a basic pay of Rs.150/- per month <sup>1.</sup> (raised to Rs.160/- per month in 1959<sup>2.</sup>) or more shall be made through the Punjab Public Service Commission.

The Government have the right to exclude any post from the purview of the Public Service Commission without consulting it. <sup>3.</sup> They have accordingly excluded certain categories of posts such as temporary appointments against permanent posts for a period of six months at a time, re-employment of retired personnel and a certain percentage of some posts, for instance, 25 per cent of posts of B.D.P.O.'s, from the purview of the commission. The provision of this right may be justified in exceptional cases only. The Punjab Government have been excluding posts from the purview of the Public Service Commission quite frequently in a most casual manner without

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1. The Punjab Public Service Commission (Additional Functions) Act, 1955. Sec.(3a).
  2. Punjab Government letter No.3360-G-11-59/464-, dated 13th June, 1959.
  3. The Constitution of India, (1950), Article 320(3).

adhering to any basic and agreed principles. <sup>1.</sup> Whereas the whole purpose of bringing in the Public Service Commission was to eliminate favouritism in which the municipal committees indulged, the Government themselves started misusing the power. Thus, favouritism persisted, but it only changed hands.

It is true that there is no constitutional obligation upon the Government to consult the Public Service Commission before making a decision to exclude any matter from its purview, yet it is certainly against the spirit of the constitution. The proviso can certainly not be invoked for the purpose of taking out a certain percentage of a particular kind of post as has been done in the case of B.D.P.O.'s. The Commission has felt that such instances and frequent exclusion of posts certainly defeat the purpose of setting up a statutory body for recruitment to the public services and would have the effect of nullifying the main provisions as well as the spirit of the constitution. <sup>2.</sup> The Commission has, therefore, been insisting upon the Government, for adopting healthy conventions of consulting the Commission before deciding to exclude a post from its purview and to follow the practice prevalent in Central Government which invariably consults

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1. Annual Report on the working of the Punjab Public Service Commission, 1957-58, p.12.

2. Ibid., para.15.

the Union Public Service Commission in this regard. The Punjab Government at last agreed in 1958 to consult the commission before taking any post out of its jurisdiction.

#### Temporary Appointments

Appointments to temporary posts do not require prior approval of the Public Service Commission. Even appointments against permanent posts could be made by a local body temporarily for a period not exceeding six months. This provision has been made to enable a municipal committee to meet the emergent needs of personnel. This step is in the public interest because there is possibility of delay as the Public Service Commission has to take its normal time to recruit a person. Extension of the period of such appointments beyond six months, however, requires reference to the commission.

There have been complaints against temporary appointments on two grounds. It is felt that the choice made for temporary posts smacks of favouritism. This is a sort of advantage to the person working temporarily because he gains experience of the job. The Public Service Commission also gives him the benefit of experience and thus ultimately a temporarily recruited person gets the upper hand in an open competition. The statement would be strengthened from the fact that in May 1966, the Government invited applications

for some temporary posts of Block Development and Panchayat Officers.<sup>1.</sup> These posts were reserved for political sufferers<sup>2.</sup>, their sons, or other social workers. The age limit was 25 to 35 years but was relaxable up to 40 years. The normal qualification was a degree and the minimum required was matriculation. The advertisement itself did not seem to be fair as almost every such sufferer was well over 60 years and that most of the political sufferers could hardly pursue their studies.<sup>3.</sup>

Temporary appointments are intended to cover the cases of vacancies arising suddenly due to an emergency and not for other vacancies occurring in normal course of retirement and creation of new posts. The appointing authorities in the Punjab use this provision by resorting to recruitment for six months as a normal course in almost every case and thereafter seek approval of the commission for extension of the period of such irregular appointments.<sup>4.</sup> This could easily be avoided by timely action in making appointments through normal channels.

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1. Secretary to Govt. Punjab, Development and Panchayat Dept. notification dated 5th May, 1966.
  2. A political sufferer is a person who underwent economic or physical loss because of imprisonment in recognised freedom movements before 1947.
  3. Reactions to the notification as reported in the Tribune dated May 10 to 14, 1966.
  4. Annual Report on the working of Punjab Public Service Commission 1958-59, para.20.

### Recruitment through Employment Exchanges

In filling up temporary posts as also other posts not falling within the purview of the Public Service Commission, local authorities are enjoined to send their requisition to District Employment Exchanges, <sup>1.</sup> which send prospective candidates to the local bodies. The selection of the candidates is ultimately made by the committee or the Executive Officer as the case may be. But many local bodies have been recruiting their staff without any reference to the Employment Exchange. The Government take a serious view of the noncompliance of the instructions as is evident from the charges made by the Government against the Amritsar Municipal Committee (for which they wanted to supersede it) which inter alia, blamed the committee for having flouted the Government's instructions regarding filling up vacancies through Employment Exchanges. <sup>2.</sup>

### Recruitment through the Public Service Commission

The Punjab Public Service Commission have been recommending

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1. Punjab Govt. Development and Panchayat Dept. Letter No. 1302-4ECD11-65/7965, dated 26th February 1965, and Model Municipal Services Bye-laws, 1965, para.3(5).
  2. List of charges published in the Tribune, Ambala, dated July 4, 1966.



candidates for various posts under local bodies within their purview since 1955. The Government nominee (generally the Head of the Department or his representative) is always present when the Public Service Commission interview candidates for posts under a government department. This is not followed while the commission interview candidates for the posts relating to local bodies. This means discrimination against the local bodies as they are denied representation and thus are unable to present their viewpoint or opinion in the selection.

The Punjab Public Service Commission advertised 149 posts of different categories viz. Engineers, Health Officers, Superintendent Fire Brigade, Chief Accountant, etc. for employment under local bodies during 1956-57 to 1963-64. The action taken by the Commission on them is summarised in the following table:-

TABLE 19<sup>1</sup>.

Posts to be filled by the Punjab Public Service Commission from  
1956-57 to 1963-64.

Year	No. of posts advertised	No. of posts which had no response	No. of posts for which no candidate found fit to be called for interview	No. of posts for which no candidate turned up for interview	No. of posts for which no candidate found suitable after interview	No. of posts for which suitable candidates were recommended.
1	2	3	4	5	6	7
1956-57	17	2	4	-	1	10
1957-58	16	5	-	1	2	8
1958-59	13	1	4	-	1	7
1959-60	17	2	4	-	-	11
1960-61	32	8	1	4	7	12
1961-62	29	8	6	-	-	15
1962-63	15	5	4	1	2	3
1963-64	10	4	2	2	1	1
TOTAL:	149 (100 )	35 (23.5 )	25 (16.8 )	8 (5.4 )	14 (9.4 )	67 (44.9 )

(Figures in brackets denote percentages)

1. Based on Annual Reports on the working of the Punjab Public Service Commission from 1956-57 to 1963-64.

The table shows that the municipal service does not attract suitable candidates. Qualified persons generally adopt an attitude of indifference to municipal service whereas similar posts under the Government are hardly unfilled. Some posts, for instance those of District Engineer, District Board, Karnal, and Engineer-in-Charge, Power House, Simla, were advertised a second time with revised scales of pay and the latter with four advance increments also but without any response. No candidate of the scheduled castes/tribes applied for the post of Assistant Surgeon Class II, District Board, Ambala, reserved for them; and the only candidate who applied for the post of Asst. Engineer, Municipal Committee, Amritsar was found unsuitable. The municipal committees are thus faced with the problem of acute shortage of suitable technical personnel.

The meagre financial resources of municipal committees oblige them to appoint part time technical staff. All Class III municipal committees and 72 per cent of Class II municipal committees in the Punjab had part time Medical Officers of Health in 1965.<sup>1</sup> The appointment of part time officers is not, however, favoured mainly because of the conflict of interest which almost inevitably arises when a man is employed partly for municipal work

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1. Based on information supplied by the Department of Local Self-Government, Punjab, Chandigarh.

and partly for any private work. A part time appointment is not a regular form of appointment and is liable to be terminated at short notice. With the change in the political complexion of the local council <sup>1.</sup>, the favourites of the members are brought into part-time posts and the previous incumbents are relieved.

To eliminate the disadvantages of part time appointments a local authority could share a full time officer with one or more of its neighbouring counterparts. This arrangement is, however, beset with certain difficulties. In respect of allocation of the working hours of an officer to the local bodies concerned, each local body begrudges the period spent with the other; secondly, the officer may play off one authority against the other and in fact succeed in doing relatively little work for any of them. These difficulties would not however mean the elimination of a medical officer as some sort of understanding and co-operation may still be possible. It would be better than the alternative of having no officer. The solution is worth trying in municipalities situated within a radius of twenty miles. Fazilka and Jallalabad which went without a medical officer for more than a year could easily appoint one officer jointly,

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1. Out of ten sample cases of Medical Officers of Health of Ferozepur District municipalities, 50 per cent had lost their jobs with the coming into power of the other group.

or form a trio in league with Abohar. Such combinations can be conveniently formed in other parts of the State also. The Model Health Act adopted by the Central Committee appointed by the Ministry of Health, Government of India, does provide for the appointment of a Health Officer or a Health Engineer for a combination of two or more municipal areas with an aggregate population of 20,000 and 50,000 respectively.

#### Independent Technical Organisation

Municipal Committees depend upon Government Departments for performing certain functions like construction and maintenance of roads, buildings, water works and even for preparing their estimates. The Government Departments charge 12.5 per cent of the total cost of the project for providing this service. As the Government Departments are mainly meant to perform their own functions, the municipal projects do not get any priority. This causes delay and local bodies have, thus, to face the resultant public discontentment. They have also to lose a good deal of interest as they are supposed to keep deposits with the Government even for the period when their projects are not executed. Sometimes they are not executed at all.

A Technical Organisation to plan and execute municipal works (such as the one which existed in the former Hyderabad State)

can also be helpful in relieving the municipal bodies of their problem of shortage of technical staff. Under this arrangement, a pool fund was raised from the contributions of municipal bodies, out of which the Local Government Department maintained an independent technical organisation in the charge of a Superintending Engineer. The organisation had a public health bias and engaged its own architect and town planning staff. The staff was sanctioned by the Government on the basis of work load. No departmental charges were recovered from the municipal committees. It was left to the organisation to draw up detailed technical estimates once the funds were allocated. The organisation was under the administrative control of the Secretary, Local Government Department, and functioned under the technical supervision of the Chief Engineer. The service under the Technical Organisation was deemed to be government service.

Such an organisation known as Panchayati Raj Public Works Circle has been established in the Punjab in February 1962 for the execution of works of Panchayati Raj bodies. The expenditure on the organisation is met from the income of P.R. bodies, on a pro rata basis. The organisation works under the charge of a Superintending Engineer who is assisted by two Executive Engineers in a Circle and Subdivisional officers with their headquarters in district towns. This model already set by the Punjab Government for Panchayati Raj bodies can be applied equally to urban local bodies with equal

benefit. It may also be possible to use this machinery for both which would further bring economy in expenditure.

### Recruitment of Executive Officers

The posts of Executive Officers are excluded from the purview of the Public Service Commission. In the case of those municipal committees to which the Punjab Municipal (Executive Officer) Act, 1931, is extended by government notification, their councils are required within three months from the date of notification to appoint the Executive Officer by a resolution passed by not less than five-eighth majority.<sup>1</sup> The appointment is subject to the approval of the State Government. If the committee fails to appoint an Executive Officer within the prescribed period the State Government makes the appointment. This applies to the Punjab areas of 1956 before its merger with PEPSU. The Government themselves appoint Executive Officers to the municipal committees of erstwhile PEPSU State.

The municipal committees generally invite applications for appointments as Executive Officers. The recruitment body consists of the elected city fathers generally belonging to political organisations. The selection therefore is biased and creates further

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1. The Panjab Municipal (Executive Officer) Act, 1931, Sec.(3).

problems when the political structure of the municipal committee alters. Sometimes some councillors also offer themselves for the post. There have been instances where in a particular council consisting of 16 members as many as nine were themselves candidates for the post depriving the council of the requisite majority of five-eighths needed for making selection.<sup>1</sup> In almost all cases, particularly in the initial stages of the application of the Municipal (Executive Officer) Act, 1931, the municipal councils themselves had failed to select Executive Officers and the government had to make appointments.<sup>2</sup> Such instances are quite common even today, the latest being that of Amritsar Municipal Committee which could not appoint its Executive Officer. Of the present 24 Executive Officers, 7 (29.1 per cent) have been appointed by the Government, 2 (8.3 per cent) have been councillors and 3 (12.5 per cent) have been already in employment of the council in one capacity or the other.<sup>3</sup>

Such an Executive Officer who is dependent on the council for his appointment, and is subordinate to and removable by the

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1. H.D. Shourie, *Urbs Indis: A Plan for Municipal Reform* (1947), p.125.
  2. *Ibid.*, p.127.
  3. Based on field work.



council, is prone to indulge in the politics of the council. He is liable to be limited in his discretion in matters of control and supervision of the staff. Further he forsakes all drive and initiative in an anxiety to safeguard his position. The requisite measure of competence, independence and security of an Executive Officer can, therefore, be ensured only if his recruitment, appointment, promotion, transfer, punishment and removal are done by some external authority uninfluenced by the local council.

The appointments of Executive Officers made by the Government are also seldom on merit due to the absence of any mechanism for testing the suitability of candidates. The only test to which the candidates are subjected to is interview by the Minister and the Secretary, Department of Local Government or their nominees. Generally the practice has been to select assistants from the offices of Deputy Commissioners or the Secretariat or the favourites of the ruling party. They have been, in fact, political appointments determined by the whims of the Minister or the pull and push that the candidates can manage to influence the appointing authorities.

The remedy for these evil practices may lie in bringing the posts of Executive Officers on the cadres of the State Government and recruiting them through an impartial and independent central agency.

State wide cadres may be needed not only for the Executive Officers but also for higher technical and professional services as their recruitment through Public Service Commission, as discussed above, has not succeeded in overcoming the reluctance of capable persons to be drawn to municipal services. The state cadres may be unified or integrated. In the unified system officers would be recruited exclusively for local bodies with the provision of transfer to any municipal body in the state. In the integrated services cadre, the officers would be recruited for the combined requirements of the State Government and local bodies and have the same terms and conditions of service irrespective of their posting in a department of the State Government or in a municipal committee. Their posting would be interchangeable between the State and local bodies according to the availability of posts, seniority of the incumbent and requirements for different departments.

The requirements of municipalities for the public health, medical and engineering services being small and the opportunities for promotion limited, the system of unified service cadre for these posts is not likely to attract suitable persons. There is a scarcity of trained and experienced persons for technical posts. The duties, qualifications and scales of pay are the same both in the state and the municipal services. It would therefore be more advantageous to have integrated cadre for these services.

The administrative and revenue services of municipal bodies are in a different category as they require a special type of knowledge and expertise from that required for work in departments of state government. The requirements of these services are fairly big and there would be scope for different grades of services and creation of opportunities of promotion within the services. It would therefore be better to have a separate unified cadre of municipal officers for administrative duties.

#### Provincialisation of Local Bodies Teachers' Services

The local bodies were responsible for establishing a large number of educational institutions in the State during the British rule. The tempo was highest during the 1930-47 period. In their anxiety to establish a larger number of institutions in the wake of rural development, minimum requirements of institution like furniture, buildings and equipment were ignored. The number of institutions increased without adequate arrangement for the supply of trained teachers. These new institutions required personnel who were selected arbitrarily and in the absence of any set principles like Burnham Scale in the U.K. The pay scales and the starting salaries were fixed without much logic behind them. This led to a haphazard growth of local bodies teachers' service resulting in retarded harmony and unattractiveness of the teachers' cadre. As a result of

this lacuna in grades and starting salaries of teachers, influence of the members of the local bodies was fully utilised resulting in frustration of those who were capable but not influential in this sense. These unsatisfactory service conditions of the teaching community led the Government to decide upon the provincialisation of municipal and district board schools in October, 1957. The control of about 10,426 local bodies' schools of various categories as shown in the following table and services of about 27,977 teachers were thus transferred to the State Government.

TABLE 2<sup>1</sup>.Municipal and District Boards' schools provincialized in October, 1957

High schools	325
Middle schools	900
Primary schools	9,200
Special schools	1
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TOTAL	10,426
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1. Based on information collected from the office of the Director of Public Instruction, Punjab, Chandigarh.

This has naturally resulted not only in the improvement in the standard of education but has also improved the lot of school teachers. <sup>1.</sup> Before provincialisation the teachers of the local bodies schools received relatively less emolument than their counterparts in the Government schools. The provincialisation has eliminated this disparity. <sup>2.</sup>

Provincialisation of local bodies' schools naturally resulted in greater direct financial burden on State exchequer. It was therefore laid down that local bodies should pay annually the amount provided in their budgets for the year 1957-58 to the Government for maintenance of the provincialised schools in addition to handing over their school buildings to the Public Works Department, and all furniture, equipment and other assets to the Education Department. <sup>3.</sup> The local bodies were sore about the loss of power over a vital service. Most of the local bodies have therefore consistently refused to make such contributions amounting to nearly twenty million rupees. But the Government seems to be adamant to recover this amount

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1. Secretary to Government Punjab Education Department. Letter no. 207715-LB(CH)57/17166 dated 7th August, 1957.
  2. Director of Public Instruction, Punjab, Letter no. 18836/PR/-C dated 27th September, 1957.
  3. Secretary to Government Punjab Education Department, Letter no. 1092-LB(CH)-58/7814 dated 14th March, 1958.

by every possible means. For instance, it has threatened to recover the amount of seven million rupees from Amritsar Municipal Committee by freezing the municipal funds lying with the State Bank of India, by superseding some municipal committees like Sonapat and by declining to sanction budgets of others, like Chheharta. The Amritsar Municipal Committee has since moved the Supreme Court to contest the Government's claim for this contribution. The Government is alleged to have superseded it in a spirit of vengeance. The Standing Committee of Urban Local Bodies has decided that all the municipal committees should refuse to make such a payment since it was the responsibility of the Punjab Government to run schools.

This position requires rethinking on the part of local bodies. Their function of providing education has been taken away by the Government; it has resulted in some surplus in their budget that was earmarked for education. Nothing has been done either to decrease taxation in municipal areas or to provide for additional civic amenities out of the savings made on this account. The savings thus effected by the local bodies can be earmarked for utilisation to improve the teachers' conditions of service.

#### Recruitment to Subordinate posts

The appointments to the posts carrying a basic salary of less

than Rs.160/- p.m. are made by the 'appointment committee' described earlier. Naturally the procedure has the scope of members utilising their influence in such recruitments. The Punjab State Municipal Employees Union alleged at their Conference held in March 1966 that the committees were appointing some of the relatives of municipal commissioners.<sup>1</sup> A competitive examination held by an independent recruiting body like the Municipal Services Selection Board would eliminate this malpractice.

In U.K. the method of competitive examination conducted by a common body to recruit the staff of local authorities was not favoured by democrats like Professor Robson. It was felt that it would destroy the unfettered right of these bodies to choose for themselves the officials who were to carry out their orders. It has worked because of the powerful professional associations of municipal civil servants who insist on qualifications for their respective positions and thus set up barriers against haphazard entry into their various vocations. But the conditions are different in India and it is thought recruitment by the competitive examination system is a desirable alternative to arbitrary appointments by the committees. It will go a long way to eliminate favouritism.

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<sup>1</sup>. Annual Conference of the Punjab State Municipal Employees Union held at Bhatinda on March 14, 1966.

### Recruitment of Panchayati Raj Staff

There are two categories of Panchayati Raj staff -

(i) the government servants whose services have been placed at the disposal of P.R. bodies; and (ii) the staff borne on Panchayat Samitis and Zila Parishads services.

The government servants (B.D.P.O's, Extension Officers, Village Level Workers) are recruited by the respective government departments on the recommendation of the Punjab Public Service Commission if their salary is Rs.160/- or more per month and on that of the Subordinate Services Selection Board if their monthly salary ranges between Rs.50 and Rs.160. Ultimate power in respect of disciplinary action, promotion, and transfer of this staff rests in the State Government, while the P.R. bodies only have the working administrative control over them.

The Punjab Panchayat Samitis and Zila Parishads Services Rules, 1965, lay down that all appointments shall be made by the appointing authority, Zila Parishad or Panchayat Samiti as the case may be. The posts carrying an initial salary of Rs.160 per month or more are required to be filled on the recommendation of the Punjab Public Service Commission. All other posts borne on the P.S. and Z.P. services would be filled on the recommendation of the



District Committee.<sup>1.</sup>

The procedure for recruitment followed here is fairer as compared with the one followed by municipal committees. All the vacancies are advertised by the appointing authorities. The applications received as a result thereof are forwarded to the District Committee for selection of suitable candidates. The District Committee conducts written examinations in cases of these posts where the number of candidates so warrants. The procedure at least satisfies the possible justice which can be done where such a large number of candidates cannot be interviewed.

This leads to conclude that recruitment in Panchayati Raj institutions is invariably made by a Committee whatever its method of constitution be. In the case of higher posts, the Government directly or indirectly (in the form of Public Service Commission) comes in, whereas larger powers seem to be assigned to Panchayati Raj bodies themselves so far as lower posts are concerned.

In the Punjab, the pattern already followed by the state of Maharashtra may be adopted. There the Divisional Selection

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1. The District Committee consists of the Chairman of the Zila Parishad as chairman and the Deputy Commissioner of the district, District Development and Panchayat officer, and the chairman of the Samiti concerned (where the vacancy to be filled up relates to the cadre of the samiti) as members.

Committees make selection of suitable candidates. The District Establishment Committees make appointment from the list of suitable candidates submitted by the Divisional Selection Committee. This method provides a wider range of selection and at the same time helps in making immediate appointment because of the readily available list. The system if modified to have a common services selection board for municipal committees as well as Panchayati Raj bodies for the whole state will further economise expenditure and the services would also be broad-based.

## CHAPTER VI

### TRAINING

Training is indispensable for efficiency. It provides a knowledge of the techniques of the job, enables efficient performance and increased capacity of work. A trained local-body employee would thus be an asset. In changing political and social patterns, an employee would be required to develop a democratic outlook, a broader perspective and a team spirit. This can only be achieved through his proper training. The training would thus achieve the twin objectives of competence, and responsiveness of the official to democracy.

Training is a continuous and progressive process. The initial or pre-service training is to be followed by in-service training of a formal or informal type. The formal training implies that the official gets away from his routine work for a while and spends the time in undergoing some specialised training or particular type of education. The informal training means that facilities are afforded to an official while engaged on his job to improve his knowledge and develop his capacity.

The nature of training varies according to the needs of the officials. It is to be graded and differentiated for various categories of employees keeping in view the nature of the job and responsibilities. Training is also to be coordinated to the general political, social and economic needs of the country. It has to be more comprehensive in a country where the educational system is still developing.

This chapter is designed to lay emphasis on the training of municipal employees, Panchayati Raj officials and non-officials.<sup>1.</sup>

#### Training of Municipal Employees

In U.K. training facilities for local government employees are provided by Departments of Political Science and Public Administration in the Universities, Technical Colleges, Professional bodies, Associations of Local Authorities, the Royal Institute of Public Administration, NALGO, etc.

The subject of 'local government and administration' is yet to receive the necessary recognition in Indian education. The need of its study was felt about half a century ago when Mr. Webb,<sup>2.</sup>

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1. Among the Panchayati Raj officials, B.D.P.O. and V.L.W.s are the key functionaries and their training has been fully discussed.

2. Foreword to John Matthai's Village Government in British India, 1955.

the late Lord Passfield, pleaded its introduction in Indian schools and universities. The need cannot be over emphasised now when Indians are to manage their own affairs. The introduction of Public Administration as a subject in a few Indian universities now is a healthy sign though 'local government and administration' as an independent discipline has to take a long time to receive attention.

The Public Service Commission, Punjab, and other recruiting agencies do not insist on any professional training in local administration for new entrants to local bodies' services. The Departments of Public Administration of the universities therefore are not treated as centres of training for local bodies' personnel. The only exception is Nagpur university which imparts one year training instruction in local administration, and those who qualify are able to take up jobs in various municipal committees of that State. This is the result of coordinated training programme between the university and the State Government.

The All India Institute of Local Self-Government, Bombay, has been offering since 1927 courses in local and municipal administration for municipal employees as well as others leading to a Diploma in Local Self-Government. These courses are given at a number of centres in Maharashtra, Gujrat, Andhra Pradesh, Madhya Pradesh, Delhi, Rajasthan, Uttar Pradesh, Kerala and Punjab. The courses are part-time, taken in the evenings or mornings by candidates over a

period of six months. The minimum qualification for admission to the course is Matriculation; this too is relaxable for the employees of the local bodies. There are six papers each of 100 marks, viz.,

- (i) Principles of Local Self-Government, and various types of local bodies in India and abroad,
- (ii) Acts relating to local bodies,
- (iii) Local Finance, Accounts and Audit,
- (iv) Rating and Assessment, Town Planning and Land Acquisition,
- (v) Public Health and Acts relating to Public Health and Sanitation, and
- (vi) Elements of Municipal Engineering.

Those who have passed the Sanitary Inspector's or Sanitary Engineer's Examination are exempted from Paper V (Public Health and Sanitation) and those who have passed the certificate examination held by the Town and Country Planning Association from part of Paper IV (Town Planning and Land Acquisition).

A scrutiny of the syllabus shows that it is meagre and hardly fulfills the needs of junior executives or clerical staff. This training is based more on lecture work; seminars and case studies ought instead to form an integral part of the method of instruction. The course also denies necessary practical training.

The Punjab Government have recognised the above mentioned Diploma as an additional qualification for employment under the local authorities in administrative and ministerial posts.

The same Institute has introduced a Postgraduate Course at a higher level also for the supervisory staff of municipal bodies and of the Local Government Departments of State Governments since 1962. The minimum qualification for admission to the course is a University Degree and is relaxable in case of certain municipal employees holding a responsible post, and having at least five years service in a local body. The course extends to nine months including attachment with selected municipal bodies in different parts of the country for practical training. This course is offered only at Bombay. The Government of India have recognised it as a qualification for employment under local bodies in Centrally Administered Areas, and suggested to the State Governments also to recognize it.<sup>1</sup> The Punjab Government have however not recognised this Diploma so far and no candidate has offered himself for this course.

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1. Government of India, Ministry of Health, Letter No.F.18-26161-L.S.G. dated 15th Oct. 1962.

The Institute convenes annual conferences and publishes a quarterly journal devoted to local government affairs. The contribution made by the Institute in creating a recognised standard among local officials rightly provides excellent pioneer work in the field. <sup>1.</sup>

The School of Public Administration of the Indian Institute of Public Administration is the only other institute for training higher level officers of municipal bodies. It has been providing short term courses of four to six weeks<sup>1967</sup> duration for executive officers of cantonments since 1959. In 1966 it started training the senior employees, Executive and Technical Officers of municipal bodies also.

Training facilities discussed in the preceding pages are inadequate. More training facilities should be provided by Central Government, State Governments, universities or recognised institutions. The initiative to take necessary steps in this direction is lacking because of confusing responsive attitude on the part of any. Everybody's work seems to be nobody's work. This response can hardly be expected of any single local authority especially in the

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1. Cf. Henry Maddick, op.cit., p.175 and Hugh Tinker, op.cit., p.190.



Punjab where the size of municipal committees does not justify it at all. It is desirable that the training schemes be initiated by the Central Government, which will need to organise the mechanism, the methods and the curriculum.<sup>1</sup> Training in Community Development and Panchayati Raj is accordingly regarded as the responsibility of the Central Government which provides a greater part of finance. The Central Ministry of Community Development and Cooperation have set up the National Institute of Community Development at Hyderabad and a countrywide network of training institutions. They impart various types of training to different categories of officials and non-officials associated with community development and Panchayati Raj. The training of municipal employees and its financing need likewise to be the responsibility of the Central Government.

On the advice of the Central Council of Local Self-Government, the Ministry of Health set up a Committee in November 1962 for considering ways and means to train municipal employees. The Committee recommended in April 1963 the immediate establishment of a Central Training Institute as well as State Institutes to undertake courses of training of municipal staff and to organise study conferences and seminars for top officials and non-officials. The

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1. Henry Maddick, op.cit., p. 174.

desirability of having a regional institute for two or three smaller states was also recommended on economic grounds.<sup>1</sup>

For providing training facilities at the state level the Punjab Government can set up a Training Institute to train municipal employees, undertake research and serve as a centre of documentation and information on municipal problems. Alternatively the Government can arrange with a University to provide these facilities, through a separate Department of Local Government Studies or as part of the Department of Public Administration on the pattern of the arrangement which exists between Nagpur University and the State Government. There can be two opinions on these alternative arrangements. In a University the emphasis is more on academic than upon applied aspect of Public Administration. The trainees are, therefore, not likely to learn much which would be of use to them in their subsequent careers. Secondly, a realistic study of municipal administration and an effective insight into administrative techniques require that the instructors should be senior officers of the departments concerned and not mere scholars. The services of these officers can be utilised adequately if there are Government Training Institutes. There is another side of the picture also. Instruction

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1. Government of India, Ministry of Health; Report of the Committee on Training of Municipal Employees, (1963), para.28.

and training in the state controlled institute will result in in-breeding and indoctrination among the trainees and the party in power may use the training institutes for propagating its political ideologies and programmes. Library facilities and other useful equipment may also be lacking.

There is some substance in both viewpoints. The best course is to devise arrangements which would avoid the shortcomings of the two systems of training referred to above. To achieve this, the training institute may not be managed by a State Department but by an Executive Council composed of civil servants with wide experience in local government, and academicians, as well as distinguished public men. The teaching staff may not be drawn only from the civil service but also from the Universities. This will ensure both academic as well as applied aspects of municipal administration.

Once training arrangements are finalised, the Government should prescribe the acquisition of a Diploma in Local Government as a precondition of new appointments and urge every municipal body to depute within a reasonable time such of its officials as do not possess the required qualification.

As for education and training of municipal employees who require technical or vocational education of one kind or another, facilities have been available in the past and have been extended

on a progressively increasing scale during the last few years in the Polytechnics, Engineering Schools/Colleges and other vocational institutes in the Punjab. This is shown in the following table:- <sup>1.</sup>

TABLE 21

Facilities  
Professional and Technical Education ~~Institutes~~ in Punjab as on 31.3.1965.

	Students on roll in the years			
	1951	1961	1964	1965
(1) Schools for Vocational and Technical Education	3,325	16,019	21,857	23,745
(2) Professional and Technical colleges.	1,532	10,329	12,786	13,821

These facilities may be fully utilised and municipal authorities may insist upon adequate training in the vocation

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<sup>1.</sup> Punjab Government, Public Relations Department, Facts about Punjab, p.52. (1965)

concerned as a precondition of appointment. They should also encourage subsequent opportunities for in-service training.

In addition to training facilities at the state level a Central Training Institute is needed (i) for advanced training of employees which the State Training Institutes would be unable to provide due to lack of resources viz. technical personnel and equipment; (ii) to coordinate training programmes for municipal employees throughout the country and help to achieve a uniform standard; (iii) to prescribe a uniform syllabus of training for subordinate services and (iv) to organise research on problems and working of municipal governments.

The Central Institute could take up a variety of courses; important among them are -

- (a) an Advanced Course in Municipal Administration for general administrators such as Commissioners, Executive Officers and Secretaries, which besides dealing mainly with general administrative problems, should also pay attention to technical issues;
- (b) an Orientation Course for Technical Officers such as Engineers, Health Officers, etc. to acquaint them with general problems of municipal administration; and
- (c) Advanced Course for Technical Officers in the fields of their specialised work; and

- (d) Special courses for instructors working in the State Institutes and Universities.

This institute should also be responsible to build up the necessary expertise and literature and maintain a specialised library. It should also act as a clearing house of information on matters pertaining to municipal government, create awareness of problems of urban administration, <sup>and</sup> develop standards for the performance and evaluation of local programmes. It can also undertake publication of periodicals to deal with current problems. These ancillary functions of the Institute can go a long way in achieving high standards of training and efficiency in municipal administration.

#### Training of Panchayati Raj officials

The importance of training to build up staff competence has been realised ever since the introduction of Community Development Programmes in India. According to the report of the United Nations Evaluation Mission, (1959) 'no single aspect of Community Development in India has received as much attention as training'.<sup>1</sup> Various programmes of training of personnel like field extension workers in specialised institutions have been

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1. United Nations Technical Assistance Administration, Report of a Community Development Evaluation Mission in India, (1959).

properly pursued since 1952. There are at present, 100 Gram Sevaks' Training Centres, 47 Gram Sevikas Training Centres, 12 Orientation and Study Centres to impart training to B.D.P.O's, Extension Staff and non-officials, 3 Extension Education Institutes, over 45 Extension Wings Departments at Agriculture, Veterinary and Home Science Colleges and 15 Post Graduate Departments of Extension all over India. <sup>1</sup>. A large number of Refresher Courses for instructors, field extension workers and subject matter specialists are also organised every year. Training programmes are also arranged for top administrators at the National Institute of Community Development, Hyderabad. Position of the P.R. Staff trained in the Punjab vis-a-vis All-India, up to 1st March, 1965 is shown in the following table:-

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1. Kuru Akshetra, dated Oct.2., 1965.

Table 22 <sup>1.</sup>

Trained personnel of P.R. bodies in Punjab vis-a-vis India as on 1st March 1965.

Category of Officers	No. of posts according to staffing pattern	No. in position	Untrained	
			No.	Percentage
1. B.D.P.O.	4,940 (227)	4,880 (180)	676 (20)	13.9 (11.1)
2. Gram Sevak	50,000 (2,500)	51,267 (2370)	1,783 (120)	3.5 (5.06)
3. Extension Officer (Agriculture)	5,128 (227)	5,216 (200)	528 (25)	10.6 (12.5)
4. S.E. & P.O.	7,247 (227)	6,083 (215)	1,075 (30)	19.3 (13.9)
5. Extension Officer (Co-operatives)	5,022 (227)	4,602 (195)	332 (30)	7.7 (15.4)
6. Extension Officer (Animal Husbandry)	5,055 (227)	4,199 (180)	65 (20)	1.7 (11.1)
7. Extension Officer (Industries)	4,862 (227)	2,829 (175)	471 (25)	17.5 (1.2)
8. Mukhya Sevika	4,550 (227)	2,530 (150)	492 (40)	19.4 (23.3)
9. Overseer	5,029 (227)	4,957 (190)	149 (30)	3.3 (15.7)
10. Gram Sevika	8,686 (554)	7,064 (430)	190 (60)	3.8 (13.9)
11. Medical Officer	4,903 (227)	2,605 (150)	-	-
12. Panchayat Secretary	(Approx) 1500	(Approx) 1400	- (280)	- (20)
(Figures in brackets pertain to Punjab)				

<sup>1.</sup> Ibid.



The table shows that despite vast facilities for training, there is still some shortage of trained staff and further expansion of existing facilities is needed.

The Village Level Workers are trained at Gram Sevak Training Centres at Nabha and Batala run by the Punjab Government, Social Education and Panchayat Officers attend one month's orientation training (with B.D.P.O's, Overseers, and Extension Officers for Agriculture and Animal husbandry) at the Orientation and Study Centres. They also attend a job training course of six months' duration at one of the S.E.O. Training Centres run by the Ministry of Community Development and Cooperation. Mukhya Sevikas (Lady Social Education Officers) separately receive one month's orientation training and 10 months of job training at one of the Mukhya Sevikas Training Centres.

Extension Officers for cooperation undergo a course of 11 months' duration at one of eight training centres run by the Reserve Bank of India; Extension Officers for Industries attend a one year course consisting of four months of training at one of the four Small Industries Service Institutes at Delhi, Bombay, Madras and Calcutta run by the Ministry of Commerce and Industries and eight months of training at one of the centres run by All-India Khadi and Village Industries Commission (a statutory body accountable to the same Ministry).

At the apex of these training institutes is the National Institute of Community Development at Hyderabad. The Study Wing of the Institute conducts orientation courses of 4 to 5 weeks for key officers from administrative and technical departments and non-officials including Members of Parliament, State Legislators and university professors. It provides opportunities to analyse both national and state administrative problems, to exchange experiences and to gain professional knowledge. It brings officials and non-officials together in their thinking and approach to problems resulting in better understanding and co-operation. By 1965, 1476 officials and non-officials from all over the country had participated in such courses. During 1963-64, Punjab was offered 13 seats in 5 courses in which 9 officers and 4 non-officials - one member of Legislative Assembly and one member of Legislative Council, one chairman Zila Parishad and one chairman Panchayat Samiti participated. In 1964-65 only one senior officer of the Development Department could be deputed but in 1965-66, 16 senior officers of the Punjab Government attended the courses.

An analysis of these figures shows that the government did not utilise its full quota for 1964-65; the plea was that the officers were busy in conducting elections of Panchayati Raj bodies. In 1965-66, no non-officials were deputed on the plea that elections to P.R. bodies were not complete.<sup>1.</sup>

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1. Annual Administration Report, Development and Panchayat Department, Punjab 1964-65; and 1965-66.

The Instruction Wing of the Institute conducts each year two courses for Instructors and four courses for District Panchayat Officers/S.D.Os. Some Chairmen of Panchayat Samitis are also associated with the Panchayat Officers' courses. Up to December, 1965, 192 Instructors and 390 D.P.O.'s and S.D.O's from all over the country had received training in this wing.<sup>1.</sup>

The supervisory and administrative responsibilities for various categories of training vest in the Central and State ministries concerned. This policy was based on the desire, on the part of the Ministry of Community Development and Co-operation directly to involve other ministries in the programme in order to obtain appropriate professional assistance. The working of training under different administrative controls lacked harmony and effectiveness. In most cases ministries concerned deputed incompetent staff to the training centres and "the consequence has thus been to settle for mediocrity in training."<sup>2.</sup>

It is interesting to note that the Punjab Government meets 25 per cent of nonrecurring and 50 per cent of recurring cost for

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1. In spite of the author's efforts it could not be ascertained as to how many officials and non-officials of the Punjab were deputed for this course.

2. Tayler, C. Carl and others; op.cit., p.207.

the Gram Sevaks' Training centres. The training at all the other institutions is financed by the Central Government. This is evident from the following table:

TABLE 23

Financial Responsibilities of Training of Panchayati Raj personnel

Training Institute/Course	Percentage of Expenditure borne by		Control and maintenance
	Government of India	State Government	
1. National Institute of Community Development, Hyderabad.	100	Nil	Ministry of Community Development, and Cooperation, Government of India.
2. Orientation Training Centres	100	Nil	ditto
3. S.E.O. Training Centres	100 (from Ford Foundation Grant)	Nil	Mostly run by non-official organisations
4. Extension Officers Training	100	Nil	Concerned Central Ministries
5. V.L.W's Training Programmes	(i) Non-recurring 75% (ii) Recurring 50%	25% 50%	State Governments
6. Orientation Training of non-officials	100 (from Ford Foundation Grant)	Nil	Centre as well as States

This arrangement is consistent with the principle advocated earlier in respect of training of municipal employees that the financial responsibility of the training should lie with the Central Government because there are meagre financial resources and dearth of technical personnel with the local authorities and the state governments.

Training programmes for various categories of Panchayati Raj personnel in the Punjab are summarised in the following table:-

TABLE 24<sup>1.</sup>

Training Programmes for Panchayati Raj Officials in the Punjab as on 31st March, 1966

Categories of Officials	Type of Training	Period of Training	Place of Training
1. Panchayat Secretaries	'Institutional'	4 weeks	P.R. Training centres
2. (i) Village Level Workers (Gram Sewaks)	Pre-Service	2 years	Gram Sewaks' Training Centre Nabha and Batala

1. The table has been compiled by the author on the basis of information collected from various sources, during field work.

Category of Officials	Type of Training	Period of Training	Place of Training
(ii) Village Level Workers with 3-5 years service	Refresher Course	2 months	Gram Sewaks' Training Centre Nabha and Batala
(iii) Village Level Workers selected on merit	Higher Training	1 year	ditto
3. Village Level Workers (women) (Gram Sewikas)	Pre-Service	1 year	Home Science Wings attached to the above centres
4. Block Development and Panchayat Officers (B.D.P.O's)	Orientation	4 weeks	O. & S.C. Nilokheri (Punjab) <del>Udaipur</del> (Rajasthan) and Lucknow (U.P.)
	Job Training	10 weeks	
B.D.P.O's with field experience of 3-5 years	Study Courses Refresher Courses	3 weeks	ditto
5. Social Education and Panchayat Officers (S.E.P.O's)	Orientation	1 month	O. & S.C. Nilokheri S.E.O. Training Centre, Nilokheri
	Job Training	6 months	

(cont)

Categories of officials	Type of Training	Period of Training	Place of Training
6. Mukhya Sewikas (Lady Social Education Organisers)	Orientation Job Training	10 months	S.E.O. Training Centres, Nilokheri, Udaipur, Allahabad and Lucknow.
7. <u>Extension Officers</u>			
(a) Industries	Job Training	4 months	Small Industries, Service Institute, Delhi
		8 months	Khadi Gramudyog Vidyalayas
(b) Agriculture	(i) Subject matter		
(c) Animal Husbandry	Refresher Course	2 months	O.&S.C. Nilokheri Udaipur and Lucknow
(d) Co-operation	(ii) Extension Technique		Extension Education Institute, Nilokheri
8. Block Overseers	Orientation	2 months	Rural Housing Wing, Punjab Engineering College, Chandigarh.
9. Instructors of Gram Sewaks' Training Centres	Extension Methods	2 months	Extension Education Institute, Nilokheri, Rajpura and Nagar

(cont)

Categories of officials	Type of Training	Period of Training	Place of Training
10. District Level Officers of various Development Departments	Orientation	3 weeks	O. & S.C. Nilokheri Udaipur and Lucknow
11. Senior Officers of Development Departments	Orientation	1 month	National Institute of Community Development, Hyderabad

### Training of V.L.W's

After recruitment V.L.W's are given two years' initial training at Gram Sevaks' Training Centres at Nabha and Batala which are run by the Development and Panchayat Department, Punjab. The maximum strength of trainees in a batch has been fixed at 50. A small group of trainers gets facilities for faculty-trainee interaction and practical training in development works. Training consists of:-

- (i) the teaching of subjects of Agriculture, Extension, Animal Husbandry, Cooperation, Social Education and Community Development, Applied Nutrition, First Aid, Physics, Chemistry and Panchayats, and periodical visits to the villages for seasonal agricultural activities;



- (ii) field trips to acquaint the trainees with working of various institutions like Panchayats, Cooperatives, Agricultural Farms;
- (iii) job training for two months as apprentice to the regular V.L.W's;
- (iv) excursions in and outside the State for ten days for the study of various development programmes; and
- (v) participation in village work once a week.

The Principal and the Instructors of the Training Centres are generally deputed from their respective Departments, or from the Development and Panchayat Department, and receive training at the Extension Education Institutes of Government of India for two months.

The assessment of the trainees is based on:-

- (i) periodical tests held every six months by the internal examiners,
- (ii) final examination conducted by the external examiners in each subject, and
- (iii) on their performance in the job training period.

Normally the unsuitable trainees are eliminated for their poor performance in periodical tests and undesirable attitude and behaviour as observed from day to day.

Like initial training, in-service training is also desirable. Gram Sevaks with three year's service attend in-service Refresher Course for two months, where they are given guidance to solve the difficulties experienced by them. They are afforded opportunities for mutual

discussions, and apprised by the guest speakers from the Development Department and the Agriculture University, Ludhiana, of the latest research findings in the subjects of agriculture, animal husbandry, extension and co-operation.

Since 1964 (December) 50 Gram Sevaks with a minimum of five years' service, good service records, and below the age of 35 years are selected on the basis of a competitive written test and interview. They are deputed for one year higher training in agriculture under the Government of India scheme to step up agriculture production. The courses of study include Plant physiology, Horticulture, Crop husbandry, Soils, Farm management, Manures and fertilisers, Entomology, Animal husbandry, Agricultural Economics and Co-operation, Agricultural Extension, Physics and Chemistry.

The trainees work in a village for one day in a week. They are taken out for seasonal agricultural campaigns, on two study tours each of ten days' duration in selected farms and research laboratories in the Punjab and other States. At the end of the course the trainees appear at an examination in various subjects. For the successful trainees the State Agriculture Department reserves 20 per cent of the vacancies of the Agriculture Extension Officers. The Punjab Agriculture University, Ludhiana, accepts twenty of them for the three year B.Sc. (Agriculture) Degree Course which is normally of four years.

The training lays emphasis both on theory and practice, and time devoted to each aspect (337 days to institutional training and 200 days to training off campus) is quite equitable,<sup>1.</sup> yet the training is considered only to be moderately successful. While there are many explanations for this situation, we feel that the following few reasons are apparent. First, the agency for recruitment of V.L.W's - the Subordinate Services Selection Board, has not been able to recruit V.L.W's of the right type through its method of perfunctory interview. To ensure selection of candidates with aptitud~~e~~ for the job the Selection Board should subject the candidates to endurance, personality and aptitude tests. Second, the Central Government and the State Department of Development who are administratively responsible for the training of V.L.W's were more oriented to agriculture and gave comparatively less attention to training in other activities of the multi-purpose functionary. Now that the V.L.W. is more or less exclusively a single Agriculture Extension worker emphasis on his training in agricultural development is justified. Third, instructors, deputed by the respective departments often are inexperienced. They teach their courses strictly as a technical subject without paying any attention to the application techniques. Most of the instructors of the basic course in

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1. 'Time Schedule' in the Syllabus for Two Years' Gram Sevaks' Training Course e~~o~~ at Gram Sevaks' Training Centre, Nabha (Punjab) 1965, p.2.

extension methods have themselves no training in adult education and extension methods. Fourth, the method of teaching is a traditional class room lecture. It does not prove very profitable for the trainees. Five, though provision of proper balance between theoretical and practical training in terms of time schedule is there, it does not make the training useful and effective because it is hardly assured that the time spent in villages enables the trainees to understand the problems of village development. The same can be said for the manual work organised within the training centre. Practical training, therefore, needs to be interpreted not to mean 'non-theoretical' or 'labour oriented' or 'mechanical routine', but as activities designed and carried out to provide significant educational experience.

#### Training of B.D.P.O's

Newly recruited B.D.P.O's are deputed to undergo four weeks' orientation training followed by a ten week job training at Orientation and Study Centres at Nilokheri (Punjab) and Udaipur (Rajasthan). The purpose of orientation training is to ensure that all functionaries at the block level understand the philosophy, objective and genesis of the Community Development Movement and Panchayati Raj. It also makes them understand the scope of the various programmes and methods of evaluation. <sup>1</sup>. Duration of the course was originally of forty-five

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<sup>1</sup>. Preamble to the Syllabus for Orientation Training of Community Development Personnel - Ministry of Community Development and Panchayati Raj and Cooperation, Government of India, (1962).

days, but with the introduction of Panchayati Raj this period was felt to be too long for non-officials. It was, therefore, reduced to thirty days in 1961. The job training course of B.D.P.O's was consequently increased from forty-five to sixty days. The orientation course consists of forty lectures of sixty hours. It also includes manual work, syndicate studies and group discussion, extension practicals, guided reading and library work.

The objectives of Job training of B.D.P.O. are:-

- (a) to give him a comprehensive idea of the role he has to play as an extension worker, programme planner, programme executive, evaluator, coordinator and an organiser;
- (b) to give him an understanding as to how he can play his roles in implementing various programmes and function as a captain and a coach of the team,
- (c) to give him an idea of how to identify problems he may have to face and how to solve them,
- (d) to relate the ideology of community development programme with practical situations so that the training becomes ground oriented, and
- (e) to study and analyse the programmes objectively, to collate targets with response, and to evaluate achievements. <sup>1.</sup>

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1. Government of India, Ministry of Community Development, Panchayati Raj and Co-operation, Syllabus for Job Training of B.D.P.O's, (1962) p.1.

To achieve these objectives the syllabus comprises 102 lectures (1/3 of the period to be devoted to talk and 2/3 to discussion), manual work, guided reading and library work, group discussions, and individual assignments.

B.D.P.O's with 3-5 years' field experience are detailed in batches to participate in Study Courses/Refresher Courses at Special Orientation Training Centres.

Some general and special courses are also arranged for all or selected B.D.P.O's. All the B.D.P.O's, for instance, were deputed to the Indian Agricultural Research Institute, New Delhi for one week's training in 1964. In the same year a special course was organised for one week to provide training in connection with sugar-cane campaign at the Sugar-cane Research Institute, Jullundhur, in which 19 B.D.P.O's participated. In short, different types of training provided to B.D.P.O's during the last three years are summarised in the following table:-

TABLE 25<sup>1.</sup>Three years training schedules of B.D.P.O's in Punjab, 1963-66.

Type of Training	No. of courses	No. of B.D.P.O's Trained		
		1963/64	1964/65	1965/66
1. Orientation Training	3	25 at two courses	-	30
2. Job Training	3	28 at two courses	58 (newly recruited)	15 (newly recruited)
3. Refresher Course/ Study Course	3	18	40	-
4. Special Training (a) Agriculture	-	140 in 8 batches	-	-
(b) Sugar-Cane	-	19	-	-

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1. Compiled by the author in the course of field work.

Training programmes for B.D.P.O's as discussed above seem to be inadequate. First, they are too short to equip adequately a person whose job is to provide leadership to a people's movement and to coordinate and guide staff to help people in solving their various problems. Second, the government sometimes does not make full use of the available facilities of training. For example, it deputed B.D.P.O's for neither Third orientation nor job training course in 1963-64. Third, the government does not follow any sequence of training. B.D.P.O's should first get orientation training. It should be followed by job training. Certain subjects of teaching in the job training are either to be continued from where left off or dealt with in greater detail than already done in the orientation course. The Punjab Government did the other way. They deputed newly recruited B.D.P.O's in 1964-65 and 1965-66 straight to job training without first deputing them to orientation training. This was a defective method because there was lack of any correlation between the two types of training. Fourth, with a few exceptions, the training suffers from general inadequacy of competent and suitable instructors.

The training is not adequate to cope with the need of communicating scientific and technical knowledge to villagers. It is felt that most of the trainees are not equipped suitably as the vehicle for conveying to villagers even such technical knowledge as is available at the block level. This particular aspect of the training



programme therefore, needs special emphasis. That again means that the staff in these training centres should understand and appreciate these methods. <sup>1</sup>. The U.N. Commission also holds similar views. They feel "that though training courses have laid down certain layers of information in the minds of the trainees, they have not stimulated a lively, alert, sensitive approach to village and rural problems, with the result that they do their work with their minds lulled to sleep by much learning and teaching, and without adopting, questioning, testing all that they have heard in their training courses. <sup>2</sup>.

Training is adversely affected by frequent transfers of instructors who acquire experience. They are generally replaced by untrained and fresh entrants to the job.

This would lead us to conclude that the methodology changes in training and gearing the government machinery to cope with the requirements of training can alone meet the needs of effective introduction and implementation of development programmes. All this suggests a radical change in training programmes.

### Training of Non-officials

The training of non-officials of local bodies is complementary to that of the officials, as both of them are partners in the institutions

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1. Mehta Report, Vol.1., p.70.

2. U.N. Mission Report on the Working of Community Development Programme of India, (1959).

aiming at the welfare of the citizens. The training of the non-officials helps them in understanding their role properly leading to greater efficiency. Training is all the more important for non-officials of Panchayati Raj bodies, for it is for the first time in Indian history that a conscious attempt has been made to set up at the village level units of local administration for planning and development and endow them with vast powers. Their training can be of great benefit for the community as a whole. A trained non-official would be more responsible and effective which is essential for the growth and stability of democracy at the village level. The understanding of intricate procedural details can help in proper utilisation of power. <sup>1</sup>.

A joint training course for officials and non-officials would result in an increased harmonious relationship between them. Accordingly, the Punjab Government made provision for such training in three phases as soon as the non-officials of P.R. bodies were elected in 1961. The first phase lasted from May 20 to June 15, 1961 at Gram Sevaks' Training Centres at Batala and Nabha, and the Kamla Nehru Panchayat Shiksha Kendra, Raip. There were three courses in the first phase, each of seven days' duration in which 2,144 persons in all, officials from Commissioners

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<sup>1</sup>. Mehta Report, Vol.1., p.21.

to Block Extension Officers and six selected Sarpanches from each block participated. The B.D.P.O's, Extension Officers and Sarpanches trained in this phase, worked as instructors in the second phase, which continued from July 30 to August 5, 1961. The duration of each camp was of 7 days and there were in all 227 camps, one in each Block (except in the two blocks of Lahaul and Spiti) in which about 79,000 persons such as Sarpanches, workers at the village level of the Development and Panchayat Department, Extension Officers, Panchayat Secretaries and Secretaries of co-operative societies participated. In the Third Phase, the chairmen, vice chairmen, members of Zila Parishads and Panchayat Samitis were given specialised training for 10 days at the three Gram Sewaks' Training Centres mentioned above. Each centre conducted eight courses from November 5, 1961 to the end of January 1962.

While the Government tried to train almost all the non-officials in the three phases of this programme, the training was inadequate. It consisted mainly of lectures by officials which the majority of non-officials, being illiterate could not fully understand. Proficiency at least in reading and writing in the regional language should be the minimum qualification of members of Panchayati Raj. The training also suffered from lack of competent instructors. Participants in Phase I of the programme were required to act as instructors in Phase II<sup>1</sup> after a training of seven days only. Persons

with such inadequate training without any well thought out and planned syllabi had hardly done any justice to their jobs.

Twelve new Panchayati Raj Training Centres were started in 1964 to impart institutional and peripatetic training to members of P.R. bodies and Panchayat Secretaries. The annual training capacity for each training centre is 1,040 for institutional courses and 1,600 for peripatetic courses. The institutional training comprises instruction in subjects of general knowledge like the constitution, the government machine, the Community Development Programme and Panchayati Raj, new techniques of agriculture and animal husbandry. The trainees are taken on field visits also and given opportunity to meet workers and to observe the working of institutions like co-operatives, panchayats, etc. Under the peripatetic schemes, teams constituted by a Panchayat Samiti and consisting of a social education organiser, a panchayat officer, an outstanding gram sewak and two non-officials hold camps in each gram sewak's circle for about three to four days to give training to panches only. The number of non-official functionaries of Panchayati Raj trained upto March 31, 1966 is given in the table below:-

TABLE 26<sup>1.</sup>

Training of Non-officials of Panchayati Raj in Punjab as on 31.3.66.

Category of functionaries	Total No. of functionaries as on 31.3.65	Duration of training	Type of training	No. of functionaries trained out of 1-5 in column 2.*
1	2	3	4	5
1. Sarpanches	13,486	1 week	Institutional	
2. Members of Panchayat Samitis	5,488	1 week	Institutional	1963-64= 7,300 1964-65=18,648 1965-66=18,113
3. Panches	91,118	3/4 days	Peripatetic	
4. Panchayat Secretaries	1,400	4 weeks	Institutional	
5. Women members of Zila Parishads and Panchayat Samitis	783	10 days	-do-	
TOTAL	<u>142,275</u>			

1. Based on field work.

\* As figures of non-officials trained categorywise were not available with the Development and Panchayat Dept, Punjab, it has not been possible to break them up as such.

These figures reveal that excluding the year 1963-64 during which the P.R. Training Centres were in the process of being established, in each of the next two years 1964-65, and 1965-66, a total of approximately 18,000 non-officials were imparted institutional and peripatetic training out of a possible maximum total of nearly 1,00,000 functionaries. Thus, approximately 16 per cent of the functionaries have been imparted training annually in the past two years. The number of P.R. Training Centres therefore needs to be increased.

Inquiries made by the author on the spot from the members undergoing institutional training at Rajpura and Ambala revealed that about 69 per cent of them were unwilling to leave their villages for a training of 3-10 days and to reside at the Training Centres (which were not always located in close proximity to the villages from which the trainees came). The payment as inconvenience allowances made for this training was inadequate.<sup>1.</sup>

The attendance at the peripatetic training camps was also unsatisfactory. At one camp, 26 out of 67 (40 per cent) members and at the other 31 out of 64 (about 47 per cent) members were present. This has led the government to make training compulsory for all members of panchayats. It has been provided that if a member of P.R. body

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1. They were paid Rs.1.50 per day of attendance and actual cost of travel from their village to the Training Centre and back.

fails to undergo training despite being afforded three opportunities shall be liable for removal from membership in case he cannot afford reasonable explanation for having failed to undergo training. This action may bring desirable results. Compulsory attendance alone will not be enough. The training imparted need be focused to create interest and enthuse trainees.

Training facilities for non-officials are provided at the Orientation and Training Centre, Nilokheri, and also at the National Institute of Community Development, Hyderabad, along with senior administrators and heads of technical departments. Whereas 28 non-officials from the Punjab have attended the O & T centre so far, four have been deputed to the National Institute at Hyderabad. <sup>1</sup>.

Sammelans (Conferences) at different levels also form an integral part of the training programme for non-officials. The Village Sammelans are conducted by village panchayats and held in the form of "Melas" taking advantage of local traditions and coinciding with local festivals, especially the Baisakhi, - the harvest festival. Block Sammelans are organised by Panchayat Samitis, each panchayat being represented by five persons including the Sarpanch. The District Sammelans are arranged by Zila Parishads, each Panchayat Samiti being

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1. Annual Administration Report - Development and Panchayat Department. Punjab (1963-64), p.19.

represented by 40 members. Similarly, State Sammelans are convened by the government and are attended by Chairmen of Zila Parishads, and Panchayat Samitis, and Sarpanches of Panchayats. These Conferences can only be useful if the non-officials in Panchayati Raj institutions take proper interest. The tendency to utilise the occasion for personal activities is not a healthy sign of development.

Training programmes for non-officials also include study tours for panches, sarpanches and selected farmers round a block, a district, intra-state, country and abroad. Whereas study tours within a block, a district and the state have been quite common, those for All-India and abroad have been organised only in 1965. The experience gained by the members of the study tours can be usefully disseminated and propagated, though the results are far from satisfactory.

As pointed out earlier, the training facilities for officials and non-officials in municipal administration are inadequate as compared with the elaborate structure of training in Panchayati Raj. "A large number of city fathers are ignorant of municipal law and procedures, and, therefore, are unable to appreciate the problems of city government in proper prospective." <sup>1</sup>. By and large, their attitude towards their civic duties and responsibilities leaves much to be desired. Until they adopt a wholesome and responsible attitude, the prospects of an efficient municipal administration would remain dim. <sup>2</sup>.

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1. Report on the working of Municipal Committees in Punjab 1961-62.

2. Report on the working of Municipal Committees in Punjab 1962-63.



The training programmes for municipal councillors are a regular feature of long established local government institutions in countries like the U.K. The need of similar programmes can hardly be overemphasised in new democracies like India. Since 1958, however, the Punjab Government has been convening conferences of the members of urban local bodies which have provided a forum for exchange of ideas between the representatives of urban local bodies and the government. This is of course no substitute for regular training. In democratic local bodies representatives will keep on changing and the fresh elements will always require training. The need for a permanent organisation for this purpose is, therefore, obvious.

## CHAPTER VII

### CONDITIONS OF SERVICE

Good conditions of service are necessary in any employment. They affect efficiency in three ways. First, recruitment in any employment is largely influenced by the salaries and career prospects it offers. Second, they constitute a determining factor not only in the physical and mental well being of the staff but also in their morale. Third, they provide incentives which have an important part to play in determining the quality of work. Good conditions are, therefore, vital in local government service also to raise its status and to attract right type of entrants.

The factors affecting conditions of service are mainly salary, promotion, security of tenure and retirement benefits, which are the subject matter of discussion in what follows.

#### (I) Salary

The principle of a minimum wage <sup>1.</sup> formed the core of the

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1. Minimum wage is an irreducible amount considered necessary for the sustenance of the worker and his family and for the preservation  
(footnote continued on next page)

recommendations of the "Fair Wages Committee" set up by the Government of India in 1948. The case for a fair wage was further strengthened when the Indian Constitution was adopted. Article 43 of the Constitution lays down as one of the Directive Principles of State Policy that the state shall endeavour to secure to all workers 'a living wage' and 'conditions of work ensuring a decent standard of life'. The Government of India enacted the Minimum Wages Act, 1948 to provide for minimum rates of wages in certain employments and the state governments were thereby empowered to fix minimum rates of wages for various categories of services. The Punjab Government fixed minimum rates of wages in respect of employment in any local authority for the first time in 1959. <sup>1</sup>.

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(Footnote 1. continued from preceding page)  
 of his efficiency at work, and the yardstick used for fixing it is the cost of a monthly budget for a hypothetical average working class family - a budget to meet minimum standards of food, housing, etc. recommended by nutrition and other experts. Allowance is also made for certain requirements like medical facilities considered essential for the maintenance of worker's efficiency. Calculation of wages at this level is essentially need-based.

1. Punjab Government Notification No. 10636 - 3 Lab - 11- 59/20325 dated the 31st December 1959.

It was obligatory for the local bodies to pay the minimum rates of wages to their employees but 50 out of 178 civic bodies had not implemented them till as late as August 1965. And the State Government did not interfere. <sup>1</sup>.

Minimum wages are linked with price index, national income and standard of living. Wages progressively tend to move upwards in developing countries like India. Although the price index moved up from 115.5 in 1959 to 165.0 in 1965, <sup>2</sup>. (Base 1952 = 100) the government did not take any notice of this fluctuation. The municipal employees had to agitate on this account which resulted in the appointment of a Committee in June 1966 consisting of two representatives of the Government and three each of employers and employees. It held enquiries and advised the Government on the revision of minimum wages of employees working under local authorities. On the recommendations of this Committee the Government fixed new minimum rates of wages on 30th December 1966. <sup>3</sup>. Only a rigid implementation of the government decision can bring about desired results.

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1. Memorandum of the President, Municipal Employees' Union, Punjab, to the Labour Minister, Punjab, dated 25th August, 1965.
  2. Government of India, Central Statistical Organisation, Statistical Abstract of the Indian Union, (1966), p.223.
  3. Punjab Government Gazette, dated the 30th December 1966, "Labour and Employment Dept. Notification dated 13th December 1966."

The Tomlin Commission (on the Civil Service in U.K.) had laid down that remuneration in the public service should follow the 'long term' trend in outside occupations.<sup>1</sup> However just this formula was in 'normal' times, it requires to be applied with more elasticity in times when the 'long term' trend is itself moving at a greater pace and when the cost of living increases steeply in comparatively a short span of time. Salaries in Local Government in England were set out in the "Scheme of Conditions of Service" in 1946 after considering existing scales in comparison with rates of remuneration generally offered in civil service, commerce and industry. The position of the Civil as well as Local Government Services deteriorated until 1956 when the Priestley Commission laid down the doctrine that 'the primary principle of civil service pay would be fair comparison with the current remuneration of outside staffs employed on comparable work'.<sup>2</sup> Adoption by the Government of this doctrine brought Civil Service pay in line with commercial rates, but it is yet to be fully applied in the case of Local Government Service in U.K.

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1. Cmd. (3909) of 1931, p.80.

2. Royal Commission on Civil Service (1955); Cmd (9613), pp.24-26.

In India, the Second Central Pay Commission (1957-59) while discussing the principles of pay of the Central Government employees, had stated:

- (i) 'the structure of emoluments and conditions of service should be so designed as to ensure recruitment at different levels, of persons with requisite qualifications and abilities and to keep them efficient,
- (ii) the principle of fair comparison with rates of remuneration in outside employment is one of the important factors to be taken into account; and
- (iii) the level of consumer prices is among the main factors to be considered in determining the rates of remuneration of government servants'.<sup>1.</sup>

In the light of the above principles, pay scales of certain categories of employees in different classes of municipal bodies are examined below:

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1. Report of the Commission of Enquiry on Emoluments and Conditions of Service of Central Government Employees, (1959) pp 19-34.

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TABLE (27)

Pay-scales of employees of certain Municipal Committees in the Punjab as on 31st March, 1965. (in Rupees per month).<sup>1</sup>

(continued on next page)

Name and Grade of Municipality	CATEGORIES OF OFFICIALS			
	Executive Officer	Municipal Engineer	Medical Officer of Health	Secretary
Patiala I	200-10-300 -15-450	250-25-750	400-25-600-40 -9.20	150-10-200- 45-300
Rohtak I	300-15-390-30 -750	ditto	ditto	250-15-370 -15-400
Ferozepur I	x	x	Part time M.O.H. 150	150-10-200 -15-330
Abohar II	x	x	Part time M.O.H. 105	150-16-200 -10-300
Fazilka II	x	x	Part time M.O.H. 110	120-5-150 -10-300
Guruharsahai III	x	x	x	116-8-180 <del>118-250</del>
Jallalabad III	x	x	x	ditto
Punjab Government services	600-30-900 (for equivalent posts)	250-25-750	400-25-600 -40-920	

1. Based on the budgets of the respective municipal committees for the year 1965-66.

Name and Grade of Municipality	CATEGORY OF OFFICIALS			
	Sanitary Inspector	Head Clerk	Accountant	Octroi Inspector
Patiala I	80-5-150	150-10-200 -15-350	140-10-300	
Rohtak I	80-5-150	150-10-200 -12 $\frac{1}{2}$ -300	150-10-200 -12 $\frac{1}{2}$ -300	
Ferozepur I	80-5-150	80-5-110- -150-10- -250-12 $\frac{1}{2}$ - -300	60-4-80 -5-120- -5-150	
Abohar II	80-5-150	116-8-180 -10-250	116-8-180 -10-250	
Fazilka II	60-4-100 -5-150-7 -206	<del>116-8-180</del> -10-250	Head Clerk acting as Accountant	60-4-120 -6-180
Guruharsahai III	60-4-80- 5-120	100-8-140 -10-220	x	60-4-80 -5-130
Jallalabad III	80-5-150	100-8-140 -10-220	x	60-4-80 -5-120 -7-175
Punjab Govern- ment services	100-5-150	200-10-300 -15-450	150-10-250	80-5-150



An analysis of these pay scales leads to the following conclusions:-

- (i) At Rohtak and Patiala (both I Class municipalities) Executive Officer enjoys the same status and performs similar duties, yet the difference between the minimums of the scale is 50 per cent and between the maximums is 150 per cent. The rate of increment also differs;
- (ii) The administrative hierarchy is defective in the sense that the Executive Officer in the senior status as compared with Municipal Engineer and/or Medical Officer of Health draws a lower scale of pay;
- (iii) The pay scales in the same categories of the municipal committees differ widely among the employees of the same status performing similar duties;
- (iv) Employees of the same status but under a lower grade of municipal committee enjoy a higher scale with similar employees of a municipality of higher grade;
- (v) Municipal employees of the same status receive lower pay scales as compared with their counterparts in government service.

All these disparities led to frustration amongst those already in municipal service and failed to attract suitable personnel.

The agitative efforts of the municipal employees, however, resulted in the appointment of a Municipal Employees' Pay Committee by the Government in February 1966.<sup>1</sup>

In contrast to the salary structure of municipal staff, the position in regard to Panchayati Raj staff is comparatively better. Zila Parishads, for instance, have been classified in three groups (A, B and C) according to the number of Panchayat Samitis in each district and three scales of pay Rs.250-750; Rs.250-650; and Rs.250-500 have been prescribed for their Secretaries respectively. Further, uniform scales of pay have been prescribed by the Government for different categories of posts under Panchayat Samitis and Zila Parishads Services; but they are in some cases lower as compared to pay scales for similar posts in government service. For example, a Taxation Officer and a Tax Collector employed by a Panchayat Samiti are placed in the pay scales of Rs.150-300 and Rs.60-175 respectively as compared to the pay scales of Rs.180-350 and Rs.110-175 of their counterparts in the government employment. The municipal employees enjoy urban amenities but the P.R. personnel having the same status and in the same pay

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<sup>1</sup>. The Committee has since become defunct as a result of the reorganisation of Punjab on Nov.1st, 1966.

scale have to forego urban amenities without getting any compensation.

### Dearness Allowance

In India emoluments are split up into two components; namely, basic wage and dearness allowance. A basic wage usually represents the pre-war level, whereas the dearness allowance is a means of neutralising the post-war rise in cost of living. This method is peculiar to India. In most countries adjustments to fluctuations in cost of living are made by revision of pay scales. Provisions, however, exist in the form of escalator clauses in collective agreements or in the Minimum Wages laws of the various countries for automatic adjustments of the wage rates to match the rise in cost of living. The idea of keeping dearness allowance as a separate component was initiated in British times after the Second World War under the presumption that the prices might come down to pre-war level. The procedure continues without much sense now.

The grant of dearness allowance is determined by such factors as increase in the cost of living, the extent of neutralisation aimed at, the capacity of the employer to bear the financial burden, total emoluments of employees, etc. and is

awarded either at a flat rate irrespective of the income groups or on a scale graded to income groups. A rise in the cost of living has, however, generally been considered as sufficient for increase in the rate of dearness allowance by several adjudicators and tribunals; but opinions differ in regard to the extent of neutralisation in the cost of living. Whereas the employees want to be compensated 100 per cent for the increase in the cost of living index, the cent per cent neutralisation has been discouraged by the Tribunals, <sup>1.</sup> ~~and~~ the Central Pay Commission, <sup>2.</sup> and the Supreme Court of India, <sup>3.</sup> mainly for two reasons (i) the employees should also make sacrifices involved in rise of prices with other citizens; and (ii) complete neutralisation would tend to add to the inflationary spiral. There is, however, no special percentage of neutralisation which is considered appropriate in all cases.

The Central Government and the Punjab Government paid dearness allowance to their employees in December 1964 at the rates shown in the following table:-

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1. Labour Tribunal Award in the dispute between the Buckingham and Carnatic Mills, Madras and their workmen, (1951).
  2. Report of the Commission of Enquiry on Emoluments and Conditions of Service of Central Government Employees (1959) pp 94-98
  3. The Calcutta Tramways Co. Ltd. (1956) L.O.C. p.817.

TABLE 28<sup>1</sup>.

Rates of Dearness Allowance for the Central and Punjab Government  
Employees, (December 1964)

Central Government		Punjab Government	
Pay Scales	Rate of D.A.	Pay Scales	Rate of D.A.
Rs. 1 -109	Rs.57	Rs.1 -51	Rs.40
Rs. 110-149	Rs.70	Rs.51-101	Rs.50
Rs. 150-209	Rs.90	Rs.102-301	Rs.60
Rs. 210-399	Rs.110	Rs.302-501	Rs.70
Rs. 400-999	Rs.120	Rs.502-1000 <sup>1</sup>	Rs.80

1. Based on field work.

The above table shows that the compensation in the form of Dearness Allowance is greater in the case of Central Government employees. The range of disparity is considerably big. Both in the case of Central and State Government employees the rate of compensation in the form of Dearness Allowance is greater in the case of lower scales as compared with higher scales. The idea underlying this principle is that the employees drawing less pay need greater relief against increase in price index, and those getting higher pay can bear the rise in cost of living.

Punjab Government employees have been agitating for grant of parity in dearness allowance with Central Government employees for some years. The Government increased dearness allowance in January 1965 for all employees drawing a monthly salary up to Rs.300, The rate of increase varying between Rs.5 and Rs.15. This nominal increase in dearness allowance did not bridge the wide gap of dearness allowance between the State<sup>and</sup> Central Government employees. They, therefore, continued their agitation and the government was obliged to enhance, in April 1965 dearness allowance by Rs.5/- for those getting monthly salary up to Rs.300 and by Rs. 10 for those getting monthly salary between Rs.301 and Rs.1000. There was a protest strike by the employees on May 6, 1966 and the third revision of dearness allowance came on June 3, 1966. This increase as also the total amount of dearness allowance available

to Punjab Government employees in June, 1966 is as shown in the following table:

TABLE 29<sup>1</sup>.

Revised Rates of Dearness Allowance of the Punjab Government employees  
(December 1964 to June, 1966)

Pay Scales	Rates of Dearness Allowance				
	Dec. 1964	Jan. 1965	April 1966	June 1966	Total
Rs 1- 51	Rs 40	Rs 5	Rs 5	Rs 7	Rs 57
Rs 51-101	Rs 50	Rs 10	Rs 5	Rs 8.50	Rs 73.50
Rs 102-301	Rs 60	Rs 15	Rs 5	Rs 10	Rs 90
Rs 302-501	Rs 70	-	Rs 10	Rs 15	Rs 95
Rs 502-1000	Rs 80	-	Rs 10	Rs 20	Rs 110

Though the gap narrowed, the agitation continued. The Government has ultimately brought rates of dearness allowance of their employees at par with those of Central Government employees in April 1967.

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1. The Tribune, dated June 4, 1966.

Local government employees on the other hand, are getting dearness allowance at the rates prevalent in December 1964 for State Government employees, despite the revision of rates of dearness allowance of State Government employees, done four times during the last two years. Their dearness allowance does not automatically increase with a rise in the dearness allowance of Government employees. Rates of dearness allowance for its employees are decided by a local authority individually, and therefore there is no uniformity in the rates of dearness allowance payable to employees in local government employment.

Price index rose from 165 in 1965 to 185 in 1966. The Central Government employees have therefore been demanding enhanced rates of dearness allowance. The Government of India have appointed a Commission on Dearness Allowance under the Chairmanship of Mr. P.B. Gajendragadkar, former Chief Justice of India, to examine the principles which should govern the grant of dearness allowance to Central Government employees in future, having regard (among other relevant factors) to the repercussions on State Governments who have always pressed the Central Government not to revise its employees' dearness allowance without prior consultation and have pleaded their inability to carry the burden of additional dearness allowance without assistance from the Centre.



The increased dearness allowance constitutes a heavy burden on the exchequer and leads to the diversion of development funds. It necessitates more often additional taxation, aggravates inflation and ultimately neutralises the benefits accruing to employees from higher income. That is why a wage freeze has been recommended by some people as an anti-inflationary measure. It is thus only through price stabilisation that the government can avoid payment of additional dearness allowance.

Salary is not the only condition of service which entrants take into consideration in choosing a career; fringe benefits like annual leave, hours of work, medical facilities, house rent allowance, are also given due weightage. Of these, medical facilities and house rent seem materially important and therefore vital.

Punjab Government employees and their families are entitled to free medical treatment in a government hospital and reimbursement of expenses on medicine. But local authorities follow different practices in this regard. Most of them do not extend any medical facilities to their employees; some of the municipal committees, like Jullundhur, run their own dispensaries, where their employees can get medicines on nominal payments: Amritsar provides free medical aid to its employees and the members of their family in its dispensaries. If the nature of the ailment is such that it requires hospital treatment, it reimburses also the expenses borne by the employees on their medical treatment.

A few municipal committees like Jagadhari, Ambala, Ludhiana, Batala, etc. make contributions of employers' share for the insurance of their employees under the Employees' State Insurance Act, 1948, which entitles the insured person to sickness, maternity, disablement and medical benefits. The Associations of Municipal Employees have been agitating for extending to them all sorts of medical facilities to which government employees are entitled, and even though the Local Government (Urban) Enquiry Committee, Punjab (1957) had considered their demand to be just and equitable,<sup>1</sup> nothing has materialised so far.

Again, housing accommodation poses a great problem. In towns, rents are generally exorbitant and in villages good accommodation is not available. At places like Chandigarh, Patiala, Ludhiana some of the government employees received accommodation in government quarters, on rent equal to 10 per cent of their pay. But those who have to live in rented accommodation are compensated for by the government to the extent of 5 per cent of their pay if the population of the town where the government servants are posted is 25,000 to 100,000 and to  $7\frac{1}{2}$  per cent if the population exceeds 100,000 provided the rent paid by them exceeds 10 per cent of their pay. Only few local bodies like Jullundhur extend this facility to their employees.

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1. The Local Government (Urban) Enquiry Committee Report, Punjab (1957), p.38.

The Local Government (Urban) Enquiry Committee, Punjab (1957), had recommended that the municipal committees would wherever possible, build houses for their employees by taking loans from the state government and charge 10 per cent of the pay from their employees as house rent as in the case of government servants.<sup>1</sup> Patiala has earmarked funds to construct a 'municipal colony' for their employees. The Scheme may solve accommodation problems.

'Paucity of funds' is the general plea advanced by the local authorities for their inability to pay their staff adequately. In spite of increase in the income of municipalities during the last decade from Rs.247.20 lakhs in 1951-52 to Rs.694.24 lakhs in 1960-61, little has been done to ameliorate the conditions of employees. Wherever the municipalities recommended to improve the emoluments of their employees, proposals were turned down by the Government<sup>2</sup> on the plea of inadequacy of funds of the local body concerned. The Government's reluctance was also for the consideration that increase of emoluments in a few municipalities might cause heart-burning and lead local bodies' employees to agitation where similar increase was not granted. It is most desirable at this stage to emphasize that payscales, allowances and other

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1. Ibid.

2. The Tribunal, dated August 10, 1966 : "Revision of pay-scales of Jullundhur Municipal Committee employees rejected".

service benefits of the government employees should also be granted to all the local bodies employees in the state.

( I II) Promotion

The importance of promotion is two-fold. It provides a powerful incentive to the employees to put in a higher quality of work and helps the management to secure efficient and experienced persons for posts of higher responsibility.

Recruitment to higher posts can be either direct or by promoting those already in service. Direct recruitment is desirable to attract suitable talent but it is necessary to recognise the claims of those already in employment by offering opportunities for promotion. In the past, a clerk in a municipality in the Punjab could be promoted to the post of assistant, accountant, office superintendent, secretary and even to that of the Executive officer. The Model Municipal Bye-Laws <sup>1.</sup> recently notified by the Government lay down that only the senior-most among the clerks can be promoted to the post of a senior clerk; and the senior-most among the senior clerks to the post of an assistant. Similarly, the senior-most among the assistants can be promoted as Superintendent; provided they are otherwise fit to hold the post. Under the provisions of the

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<sup>1.</sup> Local Government Department, Punjab Government Notification No. MC11 (11)176 - 64 dated 10th May, 1965.

byelaws a Municipal Committee or the Public Service Commission (if the salary of the post exceeds Rs. 160/- per month) while making selection for the post of Secretary, shall also consider the claims of the municipal employees.

The municipal employees have thus meagre prospects of promotion. Many of them retire from the post they were first recruited to. Some reach the maximum of the time scale long before the age of superannuation and feel frustrated because of no prospect of promotion.

Inter-transfer of personnel between various local bodies does not exist. Mobility between various local bodies may open new opportunities to various categories of employees. This system of mobility in various local authorities as well as other public services is working satisfactorily in U.K. and this example can be usefully followed at least to the extent of inter-local body service and the Directorate of Local bodies which at present is manned entirely by Civil Servants.

In Panchayati Raj 25 per cent of posts of Agriculture Extension officers and 30 per cent of Social Education and Panchayat officers are filled by promotion from Village Level Workers and 15 per cent of posts of B.D.P.O's by promoting Social Education and Panchayat officers. <sup>1.</sup> This is feasible because all of them are in

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<sup>1.</sup> Punjab Government Development and Panchayat Department, Letter No. 15752-3 ECDI-61/1552440 dated 4th Oct. 1961.

in government service. In addition, the existing staff gets preference in view of their experience gained by working in development departments while competing for posts to be filled in by direct recruitment. Thus the Extension Staff can rise to the post of B.D.P.O's and the latter (B.D.P.O's) to that of Secretary of a Zila Parishad. But the posts of Secretary are 19 only in the whole of the Punjab; most of the B.D.P.O's having attained the maximum of their time scale of pay find no avenue for promotion and thus have no incentive left.

As for the posts in Panchayat Samitis and Zila Parishads Services, the rules lay down that certain posts, for instance, those of Head Clerks, Assistants, Accountants, Taxation Officers, etc. shall be filled in by promotion.<sup>1</sup> from lower rungs provided the candidates possess requisite qualifications. The incumbents of these posts have no prospects of promotion to any matching posts in the Government departments. Thus, they feel frustrated.

Further avenues of promotion for Panchayati Raj services can be opened by reserving certain percentage of government posts for them. Similarly, B.D.P.O's of Panchayat Samitis and Secretaries of Zila Parishads should be eligible for promotion to posts in the Development and Panchayati Raj Departments.

Promotion can be made on the basis of seniority or merit.

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<sup>1</sup>. P.S. and Z.P. Services Rules, 1965, Rule 8 (3).

The principle of seniority has the advantages of -

- (a) efficiency on the basis of length of satisfactory service, and
- (b) maintenance of a gradation with equal opportunity for every incumbent.

The principle of seniority is, however, criticised on the ground that it assumes that all members of a particular grade are equally fit for promotion. Such an assumption may not do much harm in the lower grades of the service, but it cannot be generally accepted in higher grades. It neither provides incentive for work of merit, nor does it ensure initiative for acquisition of higher qualifications. The Planning Commission in India has accordingly pleaded for more attention to merit and has observed that 'while the principle of seniority cannot be ignored completely, the possibility of the more extensive use of the principle of merit should be explored so that in each field a person who has the requisite ability can feel assured that if he does outstanding work, the system itself provides adequately for promotion to higher grades of responsibility'.<sup>1.</sup> This was emphasised earlier also by the Tomlin Commission in U.K. The Commission felt that 'For filling higher posts merit should be the only consideration; for middle level posts, merit should be the determining factor; for the lower posts, seniority should ordinarily

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<sup>1.</sup> First Five Year Plan (1951-56), p.125.

carry weight but it should also be provided that exceptional merit is rewarded by accelerated promotion.' 1.

These considerations led the Punjab Government to make a provision for seniority-cum-merit as the basis for promotion in the service rules, which lay down that:-

'recruitment by promotion shall be made on the basis of seniority-cum-merit and no person shall be entitled to claim promotion on the basis of seniority alone, and when the seniority is ignored, the recruiting authority shall record the reasons therefor in writing.' 2.

In the municipal committees, promotions to subordinate posts are made by the President subject to the approval of the Committee, but they have been determined more often on reasons other than seniority or merit. Position is comparatively better in Panchayati Raj where promotions are effected not by the Chairman but by a District Committee 3. on the basis of seniority-cum-merit.

1. Cmd. (3909) of 1931, p.80.

2. P.S. and Z.P. Service Rules (1965), Para.8(2).

3. The Committee consists of the Chairman of the Zila Parishad as Chairman, the Deputy Commissioner of the District, the District Development and Panchayat Officer and the Chairman of the Samiti concerned where the vacancy to be filled up relates to the cadre of the Samiti, as members.



Promotion to posts carrying a salary of Rs 160/- per month is made by the Government Departments concerned, Municipal Committees and Panchayati Raj bodies under their respective jurisdictions in consultation with the Punjab Public Service Commission. But since the Commission has to rely primarily upon the personal records of the candidates, its role cannot be always very effective. Hayer also points out in this connection, 'The Commission is in a difficult position over promotions. Since there is neither time nor staff to interview likely candidates, decisions have to be made on their service records and confidential reports. It is notorious in all countries that confidential reports, however sincerely made, vary widely in value.' <sup>1</sup>. Even wide diversity and contradictions in the confidential reports of the same employees do not lead to objective examination by the Commission. The scrutiny of personal records supplemented by personal interview of the prospective candidates by the Commission may eliminate some genuine cases of supersessions.

In U.K. on the other hand, promotions are effected by a council either by itself or on the recommendations of the committee concerned with the service, or the Staff Committee, and to be eligible for promotion, a candidate must have acquired requisite

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1. C.J. Hayer, Report on the Public Service Commissions of British Commonwealth Countries, (1955), p.153.

professional qualifications either by passing promotion examinations conducted by the Local Government Examination Board or those recognised by it. In-service training is linked with promotion, and an employee can rise to the highest office if he acquires the necessary qualifications. This shows a contrast in the prospects of local authorities' employees in U.K. and in the Punjab which may be attributed to:

- (a) facilities of in-service professional training in U.K. and their absence in the Punjab,
- (b) provision of incentive in the shape of increase in emoluments on the acquisition of higher qualifications in U.K., and its total absence in the Punjab,
- (c) opening of a wide range of vacancies due to the provision of inter-service mobility in U.K. and the absence of such a provision in the Punjab.

*Alternative  
employment in U.K.*

### III Security of Tenure

The Punjab Municipal Act 1911 lays down:-

- (i) that a municipal committee can suspend, remove, dismiss or otherwise punish its employees.
- (ii) terminate their services at one month's notice, or one month's wages in lieu thereof, but no such notice is required for removal during a period of probation or for misconduct, and
- (iii) enquiry is to be held before dismissing any employee for misconduct.

Thus, all offices are so much at the mercy of a Municipal Committee and a month's notice is all that is necessary for the discharge of any employee. This action cannot be questioned in law courts. The courts can only interfere if the Committee, has, in the course of their enquiry, disregarded the procedure incumbent upon it by statute. This leaves too much to the pleasure of the city fathers.

Of many such cases, the suspension of the Secretary, Municipal Committee, Fazilka; the dismissal of the Secretary, Notified Area Committee, Nangal; the resignation of Medical Officer of Health, Municipal Committee, Rohtak, in preference to earning the stigma of dismissal by a hostile Council; action of the councillors of Municipal Committee, Moga, going to the extent of even abolishing the statutory post of Secretary (which was held ultra vires the Punjab Municipal Act by the High Court <sup>1.</sup>) are a few notorious examples.

The Punjab Municipal (Executive Officer) Act, 1931, provides that the Government has to approve the removal of the Executive Officer only if this resolution is passed by a five-eighth majority of the councillors. But this provision has been hardly

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1. Decision of the Punjab High Court in Karnail Singh versus Moga Municipal Committee case, dated August 6, 1966.

of any avail in granting security of tenure to the Executive Officers. We know numerous cases of dispensing with the services of the Executive Officers; recent ones being those of the removal of the Executive Officers, Municipal Committee Muktsar and Ambala, and the decision of the Amritsar Municipal Committee to refuse the extension of the term of its Executive Officer for a second time.

In U.K. the local authorities are free to dismiss their officers except the Medical Officer of Health, Public Health Inspector and the Clerk of a County Council. Approval of the Central Government is required for their dismissal. In the past, local authorities could dismiss an officer at a moment's notice regardless of any contract. In the case of *Brown v. Dagenham Urban District Council*, for instance, it was held by the Court of law that a local authority which had made a contract with its Clerk that there should be three months' notice on either side, could dismiss him at pleasure. This made it possible for Local Government Officers to be victimised especially by a Council whose political complexion had changed. This continued till 1933 when the new Local Government Act provided that an appointment shall not be determined without giving such reasonable notice as may have been agreed upon.

The Contracts of Employment Act, 1963, provides the

minimum periods <sup>1.</sup> of notice for termination of employment, but the provisions do not affect dismissal for misconduct or prevent employers or employees waiving their rights or accepting a payment in lieu of notice.

It is not mainly because of the Central Government control, or provision of reasonable notice, that it is possible for Local Government Officers in U.K. to enjoy great security of tenure. Their security really depends upon their professional standing, their powerful Professional Associations, and Trade Unions. An aggrieved officer can seek protection of his trade union (the union policy is, however, not to interfere in serious criminal offences or offences of a fraudulent character). The 'Scheme of Conditions of Service' provides that the unions have the right to make representation on behalf of officers 'in trouble'. The net result of these safeguards is that an employer is hardly likely to act in an arbitrary way, due to powerful union organisation. By the establishment of Whitley machinery, the local authorities are not left with final say in a dispute with one of its staff. The right of appeal to a joint body now exists. This is an adequate protection that an officer can avail.

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1. Under the Act, one week's notice where the employment has lasted for at least 26 weeks, 2 weeks' notice for employment of 2 to 5 years, and 4 weeks' notice for employment of 5 years or more is required.

#### (IV) Retirement Benefits

Retirement involves two important questions, age of superannuation and retirement benefits. The age of retirement in India was 55 for the employees of the Central and State Governments till 1962. This age of retirement suited British civil servants employed in India. For Indian employees also this age of superannuation was considered suitable because of the lower average length of life in the country. The average length of life of an Indian increased from 29 in 1951 to 41 in 1961. <sup>1.</sup> The Central Government therefore thought to raise the age of retirement. It also felt that by raising the age of retirement it would be able to utilise the experience and mature judgment of its employees for a longer period than it would do by retiring them earlier. The advocates of the status quo on the other hand argued that in view of the prevalent educated unemployment, such a step would mean fewer jobs for the younger and blockade of promotional prospects of some already employed, at least for some time. The Central Pay Commission, <sup>2.</sup> however, observed that the blocking of

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1. Government of India; Ministry of Information and Broadcasting, Publication Division; INDIA 1965, p.14.

2. Report of Central Pay Commission, (1959), p.91.

prospects of promotion would only be temporary and ultimately employees would stand to gain by the raising of age of retirement which they recommended at 58. The recommendation of raising the age of retirement in respect of its employees was accepted by the Central Government. The State Governments were also advised to amend the rules of superannuation accordingly. The Punjab Government raised the age of retirement of its employees to 58 in 1963 and directed the local authorities to extend this benefit to their employees also. The local authorities could extend the age of superannuation up to 65 also in case of technical and professional personnel with the prior approval of the Government.

There are two types of retirement benefits for public employees in the Punjab :- (i) Provident Fund; and (ii) Pension. Government employees are entitled to 'superannuation-pension' if retiring at 58. The retiring-pension is admissible to them after 25 years of service even if they do not attain the age of superannuation. Both types of benefits consist of a monthly pension (subject to a maximum limit) and a lump sum gratuity calculated according to a specified formula. The provision of pension and gratuity also exists for those who retire on account of ill health, injury, abolition of office, inefficiency, or some other specified contingency. The benefit is extended to his wife and dependent children in the event of his death during service or after retirement.

For Local Government employees, on the other hand, there is provision for provident fund only. They can contribute up to  $12\frac{1}{2}$  per cent of their salary towards provident fund. The Municipal Committees contributed their matching share to a maximum of  $6\frac{1}{4}$  per cent of the employees salary. In 1959 their share was raised to 8 per cent. The Punjab Government Local Bodies (Urban) Enquiry Committee 1959, did not recommend the grant of a pension by municipalities to their employees in view of their financial strain, but urged them to raise their share of contribution to provident fund to 10 per cent. The additional contributions, they observed, could form a pooled fund for payment of gratuity and other forms of assistance to the employees dependents in case of his death.

Local bodies' employees have been pressing for gratuity benefit on the pattern of Government service. A local bodies' conference recommended to the Government in February 1960 that municipal employees be paid gratuity on their retirement. The Government wrote to the municipal committees that they had no objection to the granting of a gratuity by a municipal committee if its financial position so permitted.<sup>1</sup> The Municipal Committee,

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1. Memorandum of the Government to all the Deputy Commissioners in the Punjab dated 29th November 1960.



Jullundhur decided to pay gratuity to its employees but the decision could not secure approval by the State Government. On the basis of this decision the Government further issued a general directive that the municipal committees should not undertake to introduce gratuity schemes. This was contrary to the earlier stand taken by the Government. The Municipal Committee therefore did not implement their resolution for paying gratuity to their employees, who served a demand notice on the Committee in October 1964 for the introduction of the gratuity scheme. The demand having been refused and the conciliation proceedings having failed, the Punjab Government referred the dispute to the Industrial Tribunal, Chandigarh, for adjudication under the Industrial Disputes Act, 1947. The Municipal Committee opposed the demand mainly on three grounds:-

- (i) that it was already allowing the benefit of provident fund and if gratuity were also introduced it would amount to two benefits to the employees on retirement.
- (ii) that it could not bear the burden of the scheme; and
- (iii) that the Government was not agreeable to the introduction of gratuity schemes in municipal committees of the State.

The Tribunal observed that:-

- (a) the object intended to be achieved by the Provident Fund

scheme is not the same as the object of the gratuity scheme and in any case, where the financial position of the employer justifies the introduction of both benefits there is no reason why the employees should not get the benefit of both the provident fund scheme and the gratuity scheme. <sup>1.</sup>

- (b) the heavy amounts of donations and grants which the Committee had paid and was paying to various types of institutions showed that it was in a good financial position and able to bear the burden of the proposed gratuity scheme;
- (c) when a gratuity scheme has to be introduced as a measure of socio-economic justice, the employees cannot be deprived of the same merely because the Municipal Act does not provide for it or the Government is not likely to agree to the introduction of the said scheme;
- (d) the industrial adjudication is in no way concerned with the internal arrangement between a Municipality and the Government, and cannot, on the basis of any such arrangement, deny to the employees the just rights which they possess under the Industrial law.

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1. Judgment of the Supreme Court in Wenger & Co. and others, versus their workmen 1963, 11 J. Ind. Adjud. 485.

The Tribunal directed the Municipal Committee, Jullundhur to introduce the gratuity scheme.<sup>1</sup> It was thus the first Municipal Committee in the State to introduce gratuity scheme; and Chhehrata is the second municipality to be directed by the Tribunal to do likewise. No other municipal Committee has so far decided to extend the benefit of gratuity to its employees.

In U.K. the provision of a pension for the Local Government staff exists. Some local authorities had obtained the power to have Superannuation schemes by Local Acts of Parliament, till 1922 when the Local Government Superannuation Act was passed. That was only an adoptive Act. The Second Departmental Committee on the Superannuation of Local Government employees, 1928 recommended the introduction of a general system of superannuation. Action on these recommendations was taken as late as 1937 when the Local Government Superannuation Act was passed to provide compulsory superannuation.

Superannuation is contributory - officers are required to pay 6 per cent of their salaries and an equal amount is contributed by the employing authority. The whole amount is payable on retirement (a) on grounds of permanent ill health after

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1. Award published in Punjab Government Gazette Part I, dated January 28, 1966, pp.116-118.

completion of ten years' service (b) at/or after the age of 60 provided that there has been forty years' service (c) at the age of 65 provided that there has been completion of ten years' service. The amount of the pension is calculated on the factors of length of service and average salary of the officer for the last five years. The pension is then  $1/60$  of the average salary for each year of completed service with a maximum of  $2/3$  of the average.

After the Second World War there was a general process of reviewing superannuation provisions in all branches of the public service. It was felt that the provision that was made for persons on their retirement was in itself reasonably satisfactory but that there was lack of provision for the dependants of an officer who died whilst still in service. Hence the various superannuation schemes were reviewed on the principle that the total amount contributed to the Superannuation fund and the benefits in the aggregate should remain the same, but that they should be rearranged so as to be generally more useful to those concerned. The new scheme was introduced for local government officers also in 1954. Under the new scheme, the rate of retirement pension depends upon the length of service and the average salary, though this is now calculated on the last three years, but instead of the fraction being  $1/60$ , it is now  $1/80$  so that the retirement

pension is proportionately smaller than it used to be. The money so saved is used partly to provide a lump sum grant on retirement and partly to finance a widow's pension scheme. If an officer has no wife, this benefit goes to his personal representatives on his death.

Thus, the conditions of service in Local Government in U.K. are much better than those prevalent in the Punjab. This may be attributed to the better financial position of local bodies in U.K. The trade unions in U.K. are strong enough to safeguard the interest of their members and exert necessary pressure on the local authorities for improvement. The Commissions, Committees, Arbitration Tribunals, negotiations and consultations in Whitley bodies are helpful in bringing about revision in conditions of service. Similar actions are desirable in the Punjab to improve the lot of the local government employees.

## CHAPTER VIII

### CONDUCT AND DISCIPLINE

Efficiency among public employees is attainable not only through the provision of good conditions of service but also through the prescription of a code of conduct with punishment for its violation. The gratification of ambition, the acquisition of power, and increases of salary are not the only incentives to good and better work. Dr. Finer felt that 'states have found themselves compelled to introduce codes of discipline more or less detailed, more or less severely enforced only on this account'.<sup>1</sup> Since public servants occupy a strategic position in a community, their behaviour and conduct are important. This is so because 'by qualitative standards, the significance of their outlook and behaviour, both on duty or off, is still greater because of the extent to which they represent the government in the everyday life of their countrymen.'<sup>2</sup> It was because of this reason that the

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1. Herman Finer, The Theory and Practice of Modern Government, (1961) p.864.

2. O. Glen Stahl, Public Personnel Administration, (1956), p.312.

Federal Government in U.S.A. had to point out to their employees that they were 'subject to more restrictions than may be the case in certain private employemnt'.<sup>1</sup> In Britain too, the new entrants to the civil service are reminded about the distinctive feature of their profession. They have to understand that the public expects from them 'a standard of integrity and conduct not only inflexible but fastidious.'<sup>2</sup>

The role of Government as an employer influences the conduct of its employees. The Government can raise the standard by granting good conditions of service, commendations and punishments wherever necessary. The standards also depend upon the professional ethics of the service concerned. Many professions have their unwritten code of conduct for which the most effective sanction lies in the opinion of the service itself. It is thus on the maintenance of a sound and healthy opinion within the service that its value and efficiency chiefly depend. The standards of conduct of the public servants are also strongly influenced by the values assigned to public morality in any country. The public servants are after all products of a particular society and 'it

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1. Federal Personnel Manual, p.F.2 - 1.

2. Quoted in 'The Handbook for the Civil Servant' and taken from the Report of a Board of Enquiry appointed in 1928 by the Prime Minister to investigate certain statements affecting civil servants (Cmd 3037 of 1928).

is hard to develop honest officials in a corrupt one.' 1.

The Punjab Government has framed conduct rules for its employees. These rules apply to Panchayati Raj employees also. 2. The municipal employees are governed by the model rules framed by the Government on the pattern of Government servants conduct rules. These rules regulate such matters as acceptance of gifts, raising of subscriptions, lending and borrowing money, holding or acquiring immovable property, investments other than those in immovable property, private trade or employment, insolvency or indebtedness, connection with the press etc. Amongst other things they forbid participation in any political party or any organisation which takes part in political activities, election to a local authority or a legislative body, direct approach to members of Government and ventilating grievances through the press,

In new democracies, there is a tendency amongst the services to align themselves with various political groups using it as a step board for their own ends. Consequently the services act as the tools of politicians. This situation exists at present in the Punjab. The conduct rules are, therefore, not strictly

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1. H. Paul Douglas, "Ethics in Government", Indian Journal of Public Administration, Vol.III (1957), p.207.
  2. P.S. and Z.P. Act, 1961, Sec.(36).



enforced, instead these are merely used in favour or against to suit individual cases. Instances in support of the conditions stated above are not lacking. For example:-

(i) The Medical Officer of Health, Rohtak Municipality, had actively aligned himself with the group in power. After new elections, the opposition came in power. Eleven members of the group now in power requisitioned signatures for his removal. As the election of the President (who belonged to the group now in power) had not been published in the Government Gazette, the Vice President who belonged to the ousted group did not include the removal of M.O.H. in the agenda of the meeting which therefore was adjourned amidst protests by the majority group. But no sooner was the election of the President notified, than the M.O.H. tendered his resignation to avoid dismissal.

(ii) The same Municipal Committee was superseded in 1958. This led to the appointment of an Administrator there. He dismissed an octroi clerk for accepting illegal gratification. He also stopped the increment of the octroi inspector for falsely drawing cycle allowance even though he did not know cycling. Things occurred differently when the elected municipal committee took over. A truck driver could be let off merely by paying a small fine when found selling manure belonging to the municipal committee. The octroi clerk could go with a warning only for manoeuvring a token octroi charge when a higher amount was due.

(iii) A vaccinator of Fozilka Municipality had his office in the town centre where he carried on a private business of typing and also ran a crockery shop nearby. The public lodged complaints against him to the municipal authorities. But since he obliged them by typing their private odd things and helped them in elections, no action was taken against him.

(iv) An octroi clerk let the goods belonging to the President of the same municipality pass without payment of octroi. On complaints by the opposition group, the Government investigated the charge and finding it true removed the President and disqualified him for three years. But the clerk concerned was shielded by the councillors belonging to the group of the removed president (they still commanded a majority) and was absolved of the charges.

<sup>law</sup> The rules governing the conduct of local government employees in U.K. contain, inter alia, a provision for the disclosure of relationship to any member or senior officer of the local authority by all candidates for appointment, a prohibition of canvassing, a requirement for the declaration and communication of interest in contracts, an obligation to obtain prior permission of the local authority to undertake additional appointment in their spare time and a ban on improper divulgence of documents and proceedings in committees. To ensure political neutrality of the officers, the rules enjoin upon the local authorities not to call upon them to

advise any political group either as to its work or to that of the authority, neither to require them to attend any meeting of any political group.

Local Government Officers in U.K. observe the code of conduct more scrupulously. It may be attributed to the facts that -

- (i) these principles of conduct have not been imposed on them; they are formulated by the National Joint Council, and are fully accepted by them,
- (ii) local government officers have, in the process of becoming a well organised body, made great efforts to improve the Service and therefore no one would be more anxious to maintain the proper standards of conduct than the officers themselves, and
- (iii) the discipline of professional men by their own organisations has probably been the biggest single factor in inducing high standards of conduct among them.

It now appears that there is hardly any difference in the framework of conduct rules of the local government employees in the Punjab and U.K. Their proper implementation in the Punjab can only be ensured by following the example of U.K. i.e. by organising trade unions and professional associations who would be a strong force to enforce the code of conduct amongst their members and at the same time check the wrong doings of those in power.

### Disciplinary Procedure

Apart from a regular code of conduct, every personnel system has to provide for penalties and disciplinary action for wrongful behaviour or poor performance of its employees. This equally applies to Local Government.

In the Punjab, a municipal committee can remove, dismiss or otherwise punish its Executive Officer by a five-eighth majority and other officers and servants by a simple majority. The approval of the Government is required for the dismissal of a Medical Officer of Health if his pay is contributed by the Government. The Committee has to hold an enquiry before dismissing any officer.

The Executive Officer has the power to suspend, impose a fine, withhold increments and issue warnings or censure the municipal employees (except the Secretary, Medical Officer of Health and Municipal Engineer), subject to the approval of the Committee. He has the final power to remove or dismiss an employee whose monthly remuneration does not exceed Rs.45. In the present context, this power delegated to the Executive Officer seems to be redundant as no municipal employee gets less pay than Rs.45 ~~per~~ month. The provision was made under the Punjab Municipal Act, 1911 which remains unmodified in spite of the fact that the present pay structure is radically different.

The State Government has also the power to take action against municipal employees in three ways. First, the Government can direct a municipal committee to terminate the services of an employee if he is an active member of a political organisation. In such cases, the Committee will call upon the employee to resign from service within one month. Should the employee fail to do so, the Committee will terminate his services.<sup>1.</sup> Second, if in the opinion of the Government, an officer or servant of the Committee is negligent in the discharge of his duties, it may direct the Committee to suspend, impose fines or otherwise punish him, and if the Government considers him unfit for employment, it can ask the Committee to dismiss him. Such an action shall not, however, be taken against an employee on the grounds of his possessing insufficient qualifications. Third, the Deputy Commissioner can direct a municipal committee to reduce the number of its employees if in his opinion the number employed by it or the remuneration assigned to them is excessive. The Committee can, however, appeal against the directive of the Deputy Commissioner to the Government whose decision in the matter is final.<sup>2.</sup>

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1. Punjab Government notification no.2537-C-41/43374 dated 4 August, 1941.

2. P.M.A. 1911, Sec.(42).

A dismissed employee, (if he has been dismissed by a less than two-thirds majority of the Committee), has the right to appeal to the higher authorities as shown in the following table;-

TABLE 30

Appellate Authorities for Municipal Employees in the Punjab

Category of Employees	Class of Municipal Committee	Appellate Authority
(1) All employees other than Secretary, Engineer, Medical Officer of Health	(1) Class I (2) Class II and III	Commissioner Deputy Commissioner
(2) Secretary, Engineer, Medical Officer of Health	All classes	Commissioner

or other such officer as may be specially appointed by government

A Panchayat Samiti, on the other hand, can suspend, dismiss or otherwise punish its servants. But in case of dismissal, removal

or demotion, it must provide a reasonable opportunity of 'show-cause' to the servant concerned against the action proposed to be taken. <sup>1</sup>. This rule is in conformity with Article 311 of the Constitution of India. A Panchayat Samiti has the power to administer minor punishments like censure and stoppage of increments only, ~~to~~ those government servants whose services are placed at its disposal. The power to inflict major punishments like suspension, reduction in rank, removal from service and dismissal vests in the Government in the Department concerned. An employee borne on the Panchayat Samitis and Zila Parishads services, or a Government servant aggrieved by an order involving a penalty imposed on him by a Panchayat Samiti or Zila Parishad has the right to appeal, in the case of a Panchayat Samiti to the Deputy Commissioner, and in the case of a Zila Parishad to the Commissioner. The orders passed by the Deputy Commissioner are subject to revision by the Commissioner and those of the Commissioner by the State Government.

According to Article 311 of the Constitution of India, no order of dismissal, removal or demotion is to be passed against an employee unless he has been given a reasonable opportunity of 'show-cause'. 'Reasonable opportunity' is said to be accorded when the following steps have been taken:-

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<sup>1</sup>. P.S. and Z.P. Act 1961, Sec.34(2).

(i) The grounds on which action is proposed to be taken are reduced to writing in the form of a regular 'charge-sheet' and are communicated to the official charged with. He is given a reasonable time and opportunity to explain his conduct including the right to bring all types of evidence.

(ii) The relevant portions of the findings of the Enquiry Officer are given to him along with the opportunity in the form of 'show cause notice' against the proposed punishment, if any, within the given time.

(iii) In case the employee prefers an explanation in the form of appeal, it is taken into consideration along with the report of the Enquiry Officer and necessary orders are passed by the disciplinary authority.

(iv) Where reference to the Public Service Commission is necessary, such orders are to be passed within a period of six weeks from the date of explanation of the employee. <sup>1</sup>.

This procedure is not followed where the accused absconds. The other exception is made when the order of dismissal is passed on the ground of facts or inferences based on the findings of a

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1. Civil Service Rules, 1952 to be read with Punjab Govt. letter No.2626-Acc-54/722, dated October 23, 1952 and Secretary to Govt. Punjab Health & Local Govt. Dept. Memo No.669-LB-53/6386 dated February 6, 1953 and Notification No.8993-GH-57/2550 dated December 20, 1957.



court or where authority concerned is satisfied that (for reasons to be recorded in writing) it was not reasonably practicable to give him an opportunity of showing cause against the action proposed or where in the interest of the security of the State, it may not be considered expedient to give that person such opportunity. <sup>1</sup>.

No official can be dismissed or removed by an authority subordinate in rank to that by which he was appointed. Article 311, no doubt, provides adequate safeguards to officials against victimisation but the cumbersome procedure and dilatory tactics by the employees have adversely affected efficiency and integrity of the administration. The Government are forced to follow this procedure because of the constitutional requirements. But in fact punishment is not effective when it can be delayed to such an extent. Because of the requirement that only the appointing authority has the right to punish, the procedure cannot be simplified or decentralised by delegation of powers to lower officers.

These constitutional sanctions have the sole purpose of protecting employees against political pressures and to ensure impartiality of administration. The causes of delay in

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1. Punjab Govt. Notification No.1905-LG-53/18787 dated 24 March, 1953.

disciplinary action are partially due to the inadequacy of experienced officers controlling the personnel. It can be remedied by strengthening of personnel agencies and the proper training of their staff. Some simplification of disciplinary procedure in harmony with the provisions of Article 311 can be fruitful.

### Integrity in services

The integrity of employees ensures the smooth running of any administrative machinery. The successful functioning of an elected body like a municipal committee or a Panchayati Raj institution lies mainly in its incorruptable personnel. In many developing countries, failure of various development and welfare schemes is attributed to a lack of integrity in the official machinery. <sup>1</sup>. The Government has, therefore, focused its attention on remedial measures like the enactment of Prevention of Corruption Act, 1948. On the executive side, the establishment of Vigilance Commissions and Special Police Force are some of the important measures. Besides, Sadachar Samitis <sup>2</sup>. have been organised for creating a favourable social climate against corruption.

The conditions in local bodies of the Punjab are not

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1. Government of India, Planning Commission, Second Five Year Plan, (1956), pp.127-128.

2. A "Sadachar Samiti" is the Indian equivalent of what is being done by a moral rearmament society elsewhere.

different. The instances where the municipal employees themselves have indulged in activities like evasion of municipal octroi are not wanting. <sup>1</sup>.

A scrutiny of the working of various municipal committees, especially their financial aspect, reveals a tremendous number of procedural irregularities, wastage, and misuse of public funds. To quote a few glaring instances, the 'city fathers' of a small town in Bhatinda District utilised public funds for a sectarian purpose; at Patiala, water meter readings were not taken for months together; the privilege of using water recklessly without payment was enjoyed by many Rohtak citizens too, for supply was not disconnected for long periods in several cases of default; a hakim (a physician practising an indigenous system of medicine) was paid nearly Rs. 700 under the pretext of having performed the duties of a sanitary supervisor in a town; in some municipal committees of Ferozepore District the city fathers themselves were the defaulters in the payment of profession tax, house tax and shop rents; in Ambala District the President of a civic body was himself a defaulter in respect of the payment of house tax; in the same district,

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L. Mr. Ajmer Singh, Minister for Local Government, Punjab, during his address at the annual conference of the Punjab State Municipal Employees' Union held at Bhatinda on March 14 1966 had observed that the tax evasion and corruption were on the high side in the local bodies and that municipal commissioners were conniving with municipal staff at evasion of octroi.

another President of a Municipal Committee is alleged to have used municipal funds for personal purposes and the Secretary was charged on account of mis-appropriation of a sizable amount.<sup>1</sup> There are also instances of deliberate negligence of duties with a view to favour concerned citizens simply to oblige city fathers. For example, the Ambala Municipal Committee failed to get a decree executed that was granted in its favour by the court. Some other decrees have become time-barred through negligence. These were only a few of a larger number of cases which came to the notice of the auditors. The city fathers brushed aside the strictures passed by the Audit in complete disregard of elementary civic responsibilities.<sup>2</sup> The findings of the Das Commission<sup>3</sup> throw enough light on the conclusions drawn above. The Commission observed that the Executive Officer and officials of Municipal Committee, Amritsar had committed serious irregularities and illegalities in rescinding the Town Planning scheme and granting permission to the Chief Minister's son to construct a cold store; and the President and official machinery of Municipal Committee,

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1. Audit Report of Examiner, Local Fund Accounts, Punjab, 1963-64.

2. The Tribune (Ambala), dated 5th May, 1966

3. Report of the Commission of Inquiry constituted (under Government of India, Home Ministry's Notification No.S.O.3109 dated Nov. 1, 1963) with Mr. S.R. Das as chairman, to inquire into the allegations of misdeeds, blatant acts of corruption and gross misrule against Sardar Partap Singh Kairon, Chief Minister of Punjab, (1964), pp.155-169.

Hissar had compounded the unauthorised construction of Elite Cinema by him.

The picture is not different in Panchayati Raj Institutions. During 1957-58 alone there were 726 cases of embezzlement and misappropriation of funds by officials and non-officials, the gravest being the donation of Rs.10,000 made by the King of Saudi Arabia to the Panchayat of Rattangarh village, the receipt of which was acknowledged by the B.D.O. while no money was credited to the panchayat fund.<sup>1</sup>

Economic hardships may be one of the reasons for the low standards of integrity. Salaries lag behind the price rise. The inadequate salaries have led the administration to adopt tactics of delay in order to extract illegal gratifications from the client for quick performance of a task. The lack of responsibility amongst most politicians has encouraged the local 'bodies' employees to adopt this means. The corrupt employees generally seek the patronage of politicians in local bodies. This has also led to the relaxation of a proper discipline and control over the employees. Added to this are the lowered ethical standards among officials which are consistent with, as well as reflect deterioration in moral standards in all walks of public life since the

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<sup>1</sup>. Audit Report of Examiner, Local Fund Accounts, Punjab, 1957-58.

beginning of the last war. <sup>1.</sup> The sufferings of people during the partition days of the country further lowered the general moral standards.

Suitable official machinery to deal with the corrupt employees, and a healthy climate of public opinion, as well as moral code in public life, are the possible means which can check these mal-practices. Proper education and training may also be helpful to achieve this end to some extent. <sup>2.</sup> Improvement of the conditions of service and raising of professional standards will further insure a healthier attitude amongst the employees. The professional associations themselves can play a very important role in this sphere.

### Trade Unionism

The principle of employees' participation in the personnel system has made successful strides in U.K. during the last three decades. It has been followed in many other countries also with success. The participation of employees in personnel management can be helpful in eliminating the abuses of power on the part of appointing authorities. A progressive administrator can also find it a convenient channel of communication with the staff. <sup>3.</sup>

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1. N.R. Pillai, The Public Service (1954), p.39.

2. Henry Maddick, op.cit., p.179.

3. D. Glen Stahl, op.cit., p.312.

In the Punjab, the Government has given due recognition to the above principle. The local officials can now form trade unions under the Indian Trade Unions Act 1926 (as amended in 1960). The Government accords official recognition if they comply with the following conditions:-

1. The association must ordinarily consist of a distinct class of local bodies' employees.
2. Every local body employee of the same class must be eligible for membership of the association.
3. Only those associations of local bodies' servants shall be recognised by the Government whose members or office holders are in the active service of the local body.
4. No representations or deputations will be received except in connection with a matter which is or raises questions which are of common interest to the class represented by the association.
5. Recognition is accorded solely for the purpose of enabling employees of local bodies to ventilate their grievances. If, therefore, an association adopts other methods, e.g. approaching members of the Central or State legislatures to agitate for an improvement in their conditions of service, putting questions and moving resolutions in the legislatures or by other means, the Government can forthwith withdraw its recognition of the association.

6. The officer who is empowered to grant leave to a local body employee will so far as is possible grant casual leave to an employee who is a representative of a recognised association to attend duly constituted meetings of the association.

There is an increasing tendency amongst municipal employees to organise themselves in unions like the Octroi Clerks' Union, the Municipal Employees' (clerical) Union, the Municipal Power House Employees Union, etc. The number of such unions and their membership is shown in the following table:-

TABLE 31<sup>a</sup>

Membership of Municipal Employees' Unions in the Punjab as on 31st March, 1966.

Total number of municipal committees 173

Class of Employees	No. of Municipal Committees where the Union exists	No. of members	No. of Municipal Committees where the Union is defunct	No. of Municipal Committees where it was never formed.
Octroi clerks	124	3,782	12	37
Sweepers	173	10,318	-	-
Clerks	98	876	11	64
Power house employees	2	56	-	-

<sup>1</sup> The employees have no Central Organisation and a permanent office. The statistics are collected by the author from various unions and the Local Government Department.



It might be advantageous if instead of having these separate unions, they had one trade union comprising local bodies officials of all grades in the Punjab as did Nalgo in U.K. That would facilitate their representation for the objectives of local government service as a whole. The rules framed by the Government regarding the formation of trade unions would permit such a step to be taken. The higher officers may like to form their separate organisations as they would feel that their interests should not be dealt with by a body which would of necessity be so largely representative of subordinate officials. This would be quite proper. In U.K. the chief officers have their own organisations like the Society of Town Clerks etc.

The primary aim of the trade unions is to seek good service conditions. The other objective - the improvement of the qualifications of members through education and training is as yet not the objective of trade unions in the Punjab, although, for NALGO, this became an activity as important as the improvement of pay and terms of appointment.

At the other end, an association of the urban local bodies of the Punjab exists in the name and style of Urban Local Bodies Conference with a Standing Committee as its executive, and the Minister for Local Government, Punjab as its patron. The broad objects of the Association are (i) to provide liaison between the

State Government and urban local bodies, (ii) to provide a common forum for solving general problems of urban local bodies, (iii) to suggest improvements in the democratic set-up of the administration of the municipal committees, and (iv) to coordinate the activities of urban local bodies and the government departments concerned. <sup>1</sup>.

The general body of the conference meets at least once a year. The Association publishes a quarterly journal of its own. The Association during its five years' existence has been able to focus the attention of the Government on the urgent need of amending suitably the outmoded Municipal Act of 1911, of setting up a Directorate of Urban Local Bodies, of necessary provision for adequate representation of women in the new municipal bill, of augmenting the revenues of local bodies, etc.

Among Panchayati Raj employees, unions of B.D.P.O's; Agriculture Extension Officers; Overseers, etc. are in the process of formation. They have grown recently with the visible object of securing improvement in salaries of their members. No organisation representing the Panchayati Raj employees as a whole has emerged so far to expound their common cause.

On the employers' side, chairmen of Zila Parishads have combined in an Association to urge the Government to increase their powers and strengthen the Zila Parishads. Panchayati Raj bodies

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<sup>1</sup>. Proceedings of the Conference of Urban Local Bodies, Punjab, held at Dalhousie from 26th to 28th September, 1962.

have not yet conceived of forming an association with a view to representing their views to Government on legislative proposals, administrative regulations and practices, and to redress the grievances of their employees. Professor Henry Maddick (who was till recently Associate Director, National Institute for Community Development, Mussourie) recommends the sponsoring of associations of local authorities by the Government in view of the benefits that may accrue from them. But persons like Mr. B. Mukerji (Formerly Joint Secretary, Ministry of Community Development and Cooperation, Government of India) contend that Panchayati Raj institutions have been created as institutions of local government as a matter of policy by the Central and State Governments. In a sense they would complete the chain of Governments from the Central Government down to the Village Government and to have separate associations of local authorities in this context would be illogical. <sup>1</sup>.

In view of the growing importance of the Panchayati Raj in the democratic set up of the country, associations of the employers i.e. Zila Parishads, Panchayat Samitis and Panchayats, individually and collectively, should be formed. These associations

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1. B. Mukerji, Review of Democracy, Decentralisation and Development, by Henry Maddick, Indian Journal of Public Administration, Vol. IX(4) (1963), pp.753-759.

can advise the state government on matters concerning Panchayati Raj on the one hand, and can negotiate with various unions of the Panchayati Raj employees on the other.

CHAPTER IXCONCLUSIONS

Modern urban local government in the Punjab owes its origin to the exigencies and requirements of British rule, namely the need for (i) administrative devolution due to the vast size of the country and (ii) financial decentralisation to relieve the Government of its post-mutiny financial embarrassments. Urban local bodies worked under the control of District Magistrates and the towns people were associated only for raising funds.

The origin of rural local government is traceable to the setting up of district funds in 1869-71 and the establishment of district committees with District Magistrates as chairmen to administer the local revenue cesses.

Lord Ripon's Resolution of 1882 paved the way for associating the Indians in administration but progressively. It was a safety valve to meet the growing demand for political and social justice for Indians. The Resolution emphasized the primacy of political education over efficiency in local government. It conceded the principle of local administration being run by an elected council and more local functions being allocated to the municipal committees. But these reforms were nullified in

practice by the Provincial Governments and the district staff and failed to evolve as their author had desired. The local Government, therefore, continued to be controlled by the District Magistrate.

The Resolution urged the creation of a two-tier system of local government in rural areas - local boards at the sub-divisional level and District Boards at the district level. But the system could not work successfully for want of adequate powers and finances.

The recommendations of the Decentralisation Commission (1909) did not receive much attention until the Montagu-Chelmsford Commission (1918) urged their implementation for progressive realisation of responsible government in India. Local government became the responsibility of popular ministries during Dyarchy (1919-1935) with the furtherance of political and communal interest in local affairs. At that time the local bodies comprised of elected representatives and the executive authority vested in elected chairmen. They (local bodies) were given greater freedom from outside control as well. The District Magistrates were left with supervisory functions alone. The Government would, however, sometimes issue directives prohibiting implementation of certain decisions of the local bodies, and in extreme cases supersede them. Apart from this negative approach, the Government did not make any effort to strengthen the administrative machinery of local bodies.

The progress of Panchayats established on the recommendation of the Decentralisation Commission was deplorably slow. Only one out of twenty five villages had a Panchayat in 1937. The indifference of people as well as district officers, factions in the villages and lack of leadership were responsible for their slow rate of progress.

The grant of Provincial Autonomy (1937) gave a fillip to the development of local government. The provisions made in the new Acts of the late thirties however could not make much headway on account of World War II (1939-45). The aftermath of the war had hardly died out when India got independence (1947). The new situation brought about complete democratisation of local bodies, abolition of communal electorates and reservations of seats for scheduled castes and tribes.

The new constitution (1950) brought in a new phase. The local government became grass-roots democracy and an agency for not only providing civic amenities but also for the planning and execution of development and welfare programmes.

The rural areas of India could not receive enough attention during British rule. After independence, the development of rural local government engaged greater attention from the Government. During the first two Five Year Plans (1951-60) the Government concentrated mainly on the development of the rural

sector. The urban local government problems in the meanwhile attained a larger dimension and consequently received some recognition in the Third Five Year Plan (1961-65). This has continued in the Fourth Five Year Plan (1967-72) also.

These development plans contained adequate schemes in the physical sense. New posts, works and spheres were created, but the very base of the success of local government - the quality of the staff - did not receive attention.

The process of municipalisation has been extended to all the urban centres in the Punjab irrespective of their size of population and revenues. Of 190 urban centres in the State, only Chandigarh - the capital of the State, which is still under construction, does not have any form of urban local government.

Towns with a population of less than 10,000 do not have the resources to employ qualified staff and provide minimum standards of civic amenities. It would, therefore, be desirable to reduce them to the status of Panchayats or merge them with contiguous municipalities. Their inclusion in Panchayat Raj would entitle them to financial assistance available to rural areas under the Community Development Programmes.

Towns like mandis, pilgrim centres and tourist resorts can however form an exception to the above rule, for they attract



a large number of visitors and have, therefore, comparatively larger financial resources.

According to the present scheme of gradation of municipal committees, all the district towns have class I municipal committees irrespective of their revenue or total population. This is an apparent anomaly. Some of the non-district towns with a comparatively larger revenue persist as class II municipal committees while some district towns with a smaller revenue are designated as class I municipal committees. Revenue and population alone should form the basis of classification of municipal committees replacing the present method of grading the urban local bodies.

The administrative structure of a municipal committee suffers from the defects of concentration of both the deliberative and executive authority in its council and elected President, who depends for his tenure on the support of the majority of the councillors. The instability of the elected chairman has made him succumb to undue party influences and has given rise to nepotism and favouritism among the councillors resulting in overall administrative inefficiency.

The Executive Officer is appointed only in those municipal committees where administration has considerably

deteriorated in the view of the Government. His appointment and tenure are subject to five-eighth majority of the Councillors, and he is, therefore, subservient to the will of his 'masters'. He can exercise no effective control over his subordinates as they are more often shielded by their supporting councillors against their acts of omission and commission. Nor can he effect any coordination in municipal administration as the Heads of Municipal Departments sometimes are in higher pay rank. They are neither answerable to him. The efficiency in municipal administration can be improved by making the elected chairman only a ceremonial head as well as the presiding officer of the municipal committee. The executive authority should be vested in the Executive Officer alone who should be the Chief Administrative and Executive Authority like the Town Clerk in the U.K.

Municipal committees suffer from a paucity of funds. They avoid raising tax rates and are incapable of plugging the tax leakage. In most cases the assessing and collecting staff is incompetent and corrupt. About 50 per cent of the revenue remains unrealised. Municipalities receive meagre Government grants. Full utilisation of power to levy taxes, greater amount of vigilance in their collection and enhancement of Government grants alone can improve the financial resources of municipal committees.

The Department of Local Self-Government has no field agency of its own to exercise supervision and control and to provide assistance and guidance to the municipal committees. At present, the supervisory power is vested in the Deputy Commissioners and the Commissioners. These officers are already preoccupied with their own administrative functions. Moreover, they are not competent from a technical point of view to supervise and guide the local bodies properly. In the circumstances, their control and supervision are formal and negative, ~~instead~~ of being constructive and effective. Supersession of municipal committees has been frequently resorted to by the State Government on grounds of mal-administration, corruption, gross mismanagement of funds and the like. No steps have however been taken to educate, assist and guide them. Establishment of a Directorate of Urban Local Bodies for the whole State since July 1966 is a redeeming feature. It can serve as an important agency to provide supervision and guidance of the right type.

There are three tiers of Panchayati Raj, — Panchayats at the village level, Panchayat Samitis at the Block level and Zila Parishads at the district level. Panchayat Samitis occupy dominant position, while the Panchayats are too weak to serve as the executive arm of the Panchayat Samitis in the field of

development, and Zila Parishads too weak to act as their coordinating and supervisory agencies.

Panchayati Raj institutions do not possess financial resources commensurate with their numerous functions and responsibilities. Panchayats and Panchayat Samitis have powers to levy taxes while this power is not enjoyed by the Zila Parishads. The unsatisfactory condition of Panchayats and Panchayat Samitis' finances is due to their reluctance to make full utilisation of their powers of taxation and their inefficiency in collecting them as is evident from the fluctuations in tax-revenues of various years. Panchayati Raj units are mainly dependent on Government grants and loans which are too meagre. Grants in the Punjab constitute only about two per cent of the State revenue as compared to about 20 per cent in other States. The finances of Panchayati Raj bodies need therefore be augmented.

Panchayats employ one official - the Secretary. He serves about ten Panchayats. The administrative inefficiency of the Secretary is mainly due to three factors, viz. his unwieldy jurisdiction, poor academic and professional knowledge and small remuneration - comparatively the lowest among the Panchayati Raj personnel. It is desirable to have a separate Secretary for each Panchayat.

The real initiative and power in the field of rural development lies with the Panchayat Samitis. The executive powers of a Panchayat Samiti rest in its elected non-official chairman and the Block Development and Panchayat Officer. The powers and functions of the chairman and the B.D.P.O. are not clearly defined. This has generally resulted in dual control, trial of strength, and deterioration in administration. The fear of displeasing their political superiors has also undermined the independence and neutrality of administration.

The Panchayat Samiti staff consists of two categories

- (i) Government servants (B.D.P.Os, Extension Officers, V.L.Ws) on deputation; and
- (ii) its own staff.

The Extension Officers are under triple control - of their Departmental Heads, the B.D.P.O. and the non-official chairman. The multiple control and divided responsibility have made coordination unattainable and impaired team spirit and unity of staff. The position of B.D.P.O. as a supervisor and co-ordinator is further undermined where his relationship with the chairman is strained and staff exploits this situation.

The Secretary of a Zila Parishad is its Executive Officer. He is appointed by the Government. The office staff

is appointed by the Zila Parishad itself. A Zila Parishad can, however, call any district officer to attend its meetings and advise in respect of the work relating to his department

The weaknesses of the administrative structure can be rectified by taking three steps, namely:

- (i) by defining clearly the powers and responsibilities of the non-officials and officials; the former should have deliberative powers only and the latter the executive authority.
- (ii) by strengthening the Zila Parishads and transferring all District Officers concerned with their entire staff to their control and making them (staff) responsible to their Chief Executive Officers.
- (iii) by constituting a separate and integrated Panchayati Raj Service; which would bring all technical officers and the other high ups under the unified control of one authority.

Supervision of Panchayati Raj Bodies is indispensable to ensure their efficient functioning. It is to be conceived more in terms of providing guidance and encouragement than of inspection and audit. The control of Panchayati Raj in the Punjab is available in the following forms.

(i) Supervision of the subordinate unit by the next superior one, which is not effective in the absence of proper mechanism;

(ii) Supervision and control by the State Government in the provision of inspection, audit and supersession of Panchayati Raj bodies in case of incompetence, default or abuse of power.

(iii) Deputy Commissioner (though he is ordinarily a member of the Zila Parishad) has extensive powers of supervision on behalf of the Government.

(iv) Guidance and advice through the Directorate of Guidance and Supervision.<sup>1</sup> The Directorate was abolished in 1963 as a measure of economy. Its revival is, however, most desirable.

The administrative system at the State Headquarters lacks coordination. There is no single authority to co-ordinate the working of different officers concerned with Panchayati Raj. There are no field agencies to serve as a link between the B.D.P.Os and the State authorities. A Directorate of Panchayati Raj on the pattern of Directorate of Urban Local Boards can bring about desired results.

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<sup>1</sup>. This is a unique development in the Punjab State only. Its parallel organisation does not exist anywhere in India.

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Municipal Committees recruit most of their own services. The Government has not laid down any professional qualifications even for Executive Officers and Secretaries. In matters of appointment, qualifications and professional training are not given due weightage but local politics, group favouritism and back-door methods are the determining factors. A vacancy in higher posts precipitates a veritable crisis in the affairs of a municipal committee. Sometimes the rival factions among the councillors are so keen over the contest and so evenly balanced in voting strength that the post remains unfilled and the Government has to act in default.

The prevailing conditions obliged the Punjab Government to direct local bodies to fill all posts (excepting those of Executive Officers) carrying a monthly basic pay of Rs.160/- or more on the recommendations of the Public Service Commission. This pattern may also be followed in recruiting an Executive Officer. Group politics and favouritism in municipal committees can thus be reduced to the minimum.

Conditions of service in local bodies are unattractive. The candidates with suitable qualifications are reluctant to enter. The Public Service Commission therefore failed to recommend



candidates for about 50 per cent of the vacancies in the local bodies of the State during 1956-1964 period. The municipal committees consequently suffer from shortage of professional and technical staff and are obliged to appoint part time officers.

The creation of State cadres for Executive Officers, Secretaries and higher professional and technical services appears to be a solution. This step can attract competent personnel to the local bodies. Similarly recruitment to subordinate posts by an independent and impartial central agency like the Municipal Services Selection Board can ensure selection on merit and the patronage of the municipal councillors can thus be eliminated.

Methods and machinery of recruitment of Panchayati Raj staff are fair as compared with those followed in municipal committees - (i) The Government has laid down a staffing pattern for each tier of Panchayati Raj, while there is none for different classes of municipal committees.

(ii) Minimum qualifications have been prescribed for posts borne on State cadres or on the Panchayat Samitis and Zila Parishads Services;

(iii) Recruitment of Government staff is made by the department concerned on the recommendation of the Punjab Public

Service Commission or the Subordinate Services Selection Board as the case may be and that of the staff borne on the Panchayat Samitis and Zila Parishads Services by the appointing authority on the recommendation of the District Selection Committee; and

(iv) All the vacancies are advertised by the Panchayati Raj appointing authorities and competitive examinations held where the number of candidates so warrants.

Actual recruitment of Panchayati Raj staff, however, leaves much to be desired. Though qualifications for various posts have been prescribed, they have been relaxed quite frequently. The Public Service Commission or the District Selection Committee have not taken into consideration the candidates' aptitude for social work, professional qualifications and willingness to serve in rural areas. Such relaxations have resulted in the selection of inferior staff. The right type of personnel with necessary aptitude is indispensable for the success of Panchayati Raj.

Recruitment can be broad-based and economical by constituting a Divisional or State Selection Board for Panchayati Raj Services. A Common Local Government Services Selection Board for both the Panchayati Raj and municipal services is also feasible.

Training is indispensable for the efficiency of local government personnel. Facilities for acquiring academic qualifications in municipal administration for new entrants and in-service training for those already in municipal employment do not exist. The courses in Public Administration at the University level were introduced very recently. The municipal committees do not insist on any professional training in local government and administration for new entrants or for those in service. They do not encourage and facilitate in-service training. There are no arrangements for the training of municipal councillors either.

Municipal committees themselves do not possess adequate financial resources, technical staff and equipment for the training of their employees. The State Government should therefore set up a Training Institute or arrange with a University to provide training facilities both for the municipal employees and non-officials. Similarly, the Central Government can also provide for a Central Training Institute to cater to the common needs of the States for the training of higher officers and research.

The importance of training of Extension staff, on the other hand, has received due recognition ever since the introduction

of Community Development Programmes in India. With the inauguration of Panchayati Raj all over the country, comprehensive training programmes for both the officials and non-officials have been arranged on an extensive scale. Their financial responsibility and control are the concern of the Central and State Governments. Existing training facilities both for officials and non-officials are not however, enough to meet the total requirements of trained personnel for Panchayati Raj and, therefore, need further expansion. Training programmes are deficient also in certain respects. The syllabi are alleged to be excessively heavy; training courses are of too short a duration; there is a dearth of competent instructors; and due emphasis is not given on practical training. Training programmes, therefore, need improvements in content, quality and method. They require modifications to suit the changed roles especially of B.D.P.Os and V.L.Ws who are now exclusively concerned with agricultural development.

Conditions of service of municipal staff are least attractive. Their salaries are comparatively lower than those of government servants. Pay-scales for the same posts differ even in municipalities of the same grade. A few municipalities of lower grade sometimes provide better pay-scales than the municipalities of higher grades. Again, in some municipal

committees pay-scales of senior officers are lower than those of their subordinates. For example, the Executive Officers are senior to Municipal Engineers and Medical Officers of Health in status, but the former serve in lower pay-scales. The Government has fixed minimum rates of wages in respect of employment in local bodies but 28.1 per cent of the total municipal committees did not implement them till 1966. A rational pay structure and uniformity of pay scales in municipalities of the same category can alone remove existing anomalies.

Local bodies' staff is also discriminated against in the grant of other benefits like medical and housing facilities. Government servants and their dependents are entitled to free medical treatment while some municipal committees do not provide such facilities at all whereas a few extend only a fraction of such benefits to their employees.

Service-conditions are comparatively better for Panchayati Raj staff. The Government has fixed uniform pay scales for different categories of posts. However, these pay scales are not the same when compared with those for similar posts under the Government. The Panchayati Raj staff do not get any compensation for serving in rural areas.

Local bodies' employees are at a disadvantage in matters of retirement benefits also. Whereas the government servants are entitled to pensions of various kinds, the local bodies' employees can contribute to Provident Fund only. A couple of municipal committees only have introduced gratuity schemes for their employees.

The grant of salaries as well as various allowances and benefits to local bodies' employees at par with government servants can attract competent persons to local government services. There should be provision for some extra allowance for serving in rural areas. This can serve as an incentive to personnel posted in the countryside.

The chances of promotion for municipal employees are very meagre. There are no facilities for further education, inservice training and transfer from one local body to another and to the Directorate of Local Bodies.

Panchayati Raj staff however, have comparatively fair opportunities for promotion. Panchayat Samitis and Zila Parishads Services Rules require P.R. bodies to fill in certain posts by promoting suitable candidates from lower rungs of the services. Similarly, the Government also reserves certain percentage of posts to be filled in by promotion of those already

working with the Panchayati Raj bodies. Avenues of promotion of the employees borne on Panchayat Samitis and Zila Parishads Services can be increased further by reserving certain percentages of posts for them in government departments also. Similarly B.D.P.Os of Panchayat Samitis and Secretaries of Zila Parishads should be eligible for promotion to posts at the State Headquarters.

Promotions in municipal committees have been determined on considerations other than seniority or merit. In 1955, the Government was therefore obliged to direct all local bodies that posts with monthly salary of Rs. 160/- or more would be made only on the recommendation of the Public Service Commission, and promotion to subordinate posts would be made on seniority-cum-merit principle. An appeal in the case of an unjust supersession could be made to the government. This has resulted in eliminating patronage and favouritism to a great extent in the local bodies.

Local authorities are empowered to remove their employees by a majority of votes of the councillors. Security of tenure is ironically greater in the case of subordinate staff as compared with the higher officials. Every delinquent manages to find some member or the other to shield him. Employees guilty of inefficiency, neglect of duty, bribery or embezzlement escape more easily at the

hands of a local body than they would if they were in government service. On the other hand, the duties of the high officials are such as to bring them in conflict with the members or their influential constituents quite frequently, ultimately resulting in victimisation of the officers. The Government has extended a special measure of protection to the officials by requiring that resolutions of punishment or dismissal should be passed generally by a two-thirds majority (by a five-eighth majority in the case of Executive Officers), and by giving them the right to appeal to the Government. They are also to be provided an opportunity of 'showing cause' against the action of dismissal or reduction in rank to be taken against them.

These safeguards, though valuable, are not adequate. An officer in the bad books of the ruling clique may not be dismissed, but he may be subject to numerous pinpricks, the cumulative effect of which shall be that his stay in service would be made intolerable.

In U.K. the tenure of local government employees is secure mainly because the approval of the Central Government is required before the removal of certain officers can be effected. The professional standing of the employees themselves, their Professional Associations and Trade Unions also



contribute to their security. Such safegurads for local government employees against the excesses of the local authorities in the Punjab also need to be evolved.

Efficiency among public servants is attainable not only through the provision of good conditions of service but also through the prescription of a code of conduct and punishment for its violation. The Punjab Government has laid down rules of conduct for its employess. Those very rules apply to Panchayat Samitis and Zila Parishads services. The municipal employees are governed by the rules which are ~~framed~~ on the pattern of model rules meant for Government servants.

These conduct rules generally oblige the employees to maintain integrity, devotion to duty, political neutrality and to do nothing which is unbecoming of a public servant. But these rules are observed more in breach than in practice. Hundreds of instances of bribery, misappropriation and embezzlement of funds by the local bodies' officials (as well as non-officials) are revealed in almost every audit report. Officials generally align themselves with one or the other political group as their promotion and security of service depend on placating the members of the ruling clique, rather than conscientious discharge of their duties. Political neutrality under the ~~circumstances~~ is not feasible.

Corruption among local bodies' employees can be attributed to poor salaries, lack of responsibility among politicians and general low moral standards in society.

Suitable official machinery to deal with cases of corruption, a healthy climate of public opinion as well as moral code in public life, education and training, improvement of conditions of service and raising of professional standards can eliminate mal-practices to a great extent.

The present investigation thus shows that municipal services in the Punjab lack miserably the essentials of a service - standards of qualifications, recruitment, training, promotion, security, pay-scales and service-conditions. Conditions for Panchayat Samitis and Zila Parishads services are comparatively fair - minimum qualifications for various posts have been laid down; elaborate arrangements for the training of officials and non-officials exist; uniform pay scales for posts of different categories have been prescribed. Yet there is much to be desired to put them at par with conditions in government service.

Local Government Service in U.K. is primarily a creation of local government trade unionism; a product of Whitleyism. Trade unionism among local bodies' employees in the Punjab is as yet in its nascent stage. The main aim of the Unions is to secure

amelioration of the service-conditions for their members. It would be desirable if they insist also on the improvement of qualifications of their members through education and training as does NALGO in U.K. Associations of Urban local bodies have come into existence whereas they are yet to be formed among Panchayati Raj bodies. Only then can a Whitley Machinery consisting of representatives of local bodies' employees' unions and Local Authorities' Associations be formed for joint consultations for the improvement of service conditions of local bodies' employees and other allied matters of mutual benefit.

It has, however, to be recognised that the present state of Indian politics makes it unlikely that these reforms will be introduced in the near future.

## APPENDIX I

Copy of Questionnaire and the Covering Letter

Government House No. 19E,  
Model Town,  
Patiala.

April 5, 1966.

Shri P.N. Bhalla;\*  
Secretary to Government, Punjab,  
Local Government Department,  
Chandigarh.

Dear Shri Bhalla,

Apropos my interview with you last week, I am grateful to you for showing keen interest in my research project - "Local Government Services in India: A Case Study of Punjab", for the Ph.D. degree in the University of London, and for advising me that I should write to you about the kind of help that I would need to complete my research.

You had very kindly appreciated that there was a great dearth of published material on the subject. Even the Annual Administration Reports on the working of our local bodies hardly make any mention about their staff and an intensive field work, is therefore, inevitable for marshalling necessary information.

I enclose a copy of the questionnaire which may kindly be circulated to the local bodies within your jurisdiction with the request that it should be returned duly filled in to me, the undersigned, Within a month.

The completion of the investigation will further require interviews and discussions with the officers at the Headquarters, officials and non-officials of local bodies and the observation of local administration at work. I will arrange interviews with the officials of a few local bodies in due course. In the meanwhile I shall feel obliged if you kindly write to them to be so good as to render me every possible assistance in this respect.

I may reiterate that the field study as detailed above is indispensable for the completion of my research and I express my gratitude to you for assuring me your full cooperation.

With kind regards,

Yours sincerely,

Sd/- D.R. Sachdeva M.Sc.(Econ)(London),  
Senior Lecturer, P.E.S.  
Mahendra College, Patiala.

- \* This letter was addressed also to Shri R.S. Randhawa, Commissioner, Agricultural Production and Rural Development and Secretary to Government, Punjab, Development and Panchayat Department. The Questionnaire along with the covering letter was forwarded to the local bodies.

Local Government Services in the Punjab

Questionnaire

1. Name (and Grade) of the local body .....

2. Population (1961) .....

	No. of Councillors/ Members	Male	Female	Total
(a)	Elected			
	Coopted			
	Scheduled Castes			
(b) Qualifications	Illiterate			
	Non-Matriculantes			
	Matriculates			
	Graduates			
	Postgraduates			
(c) No. of Terms for which serving	3 year (current)			
	one			
	two			
	Three			
	More than three			
(d) No. removed or disqualified for	Misappropriation of funds			
	Persistent absence			
	Refusal to attend training course			
	Wilful resignations			
	Conviction by a court			
	Other reasons			

(e) <u>Training</u>		Male	Female	Total
(i) Name of course				
(ii) No. of participants				
(f) <u>Party Affiliations</u>				
(i) Congress				
(ii) Jan Sangh				
(iii) Socialists				
(iv) Akalis				
(v) Communists				
(vi) Independents				

4. (a) Has the Punjab Municipal (Executive Officer) Act, 1931 extended to your municipality? If so, please fill in the following:-

(i) Date of extension of the Act .....	No
(ii) Appointment of the E.O. by (i) The Municipal Committee	
(ii) The Government	
(iii) Removal by (i) The Municipal Committee	
(ii) The Government	
(iv) Term not extended	
(v) Post held by the Executive officer before his appointment as such .....	

(b) Has the municipal committee ever been superseded? If so, when and for how long? .....

5. Election of President/Chairman (Since 1951)	No						
(i) Elected by the municipal committee							
(ii) Appointed by the Government							
(iii) No. of Resolutions for Removal of the Chairman	<table border="1"> <tr> <td>Moved</td> <td>Passed</td> <td>Voting Strength</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </table>	Moved	Passed	Voting Strength			
Moved	Passed	Voting Strength					

(3)

6. Please supply the following information about the staff

(a) For municipal Committees only

	Sex, Age, Scheduled Caste	Qualifications Academic/ Professional	Previous Experience	Pay Scale	Appointed Direct or Promoted
E.O. M.O.H. Municipal Engineer Accountant					

(b) For P.R. bodies only

Panchayat Secretary B.D.P.O. S.E.P.O. V.L.W. Secretary, Zila Parishad					
--	--	--	--	--	--

Clerical Establishment

Qualifications	Number		Pay Scales
	Male	Female	
Undermatric			
Matric			
Graduates			



(4)

7. Service Benefits (Please tick whichever is applicable)a. Medical facilities.

	(i) Local bodies' own dispensary.	(ii) Reimbursement of medical expenses	(iii) Percentage of contributions to Insurance
Free medicine for (i) the employee			
(ii) his family			

b. Housing facilities

- (i) Accommodation provided by local body Yes/No
- (ii) Rent Charged from the employees (Percentage of Salary) .....
- (iii) Rent contributions by the local body (Percentage of Salary)
- .....

## 8. (a) Age of Retirement .....

## (b) Retirement Benefits

- (i) Pensions Yes/No
- (ii) Provident Fund

Percentage of Salary

- (i) Contribution by the employees
- (ii) Contribution by the local body
- (iii) Gratuity - Yes/No

9. Disciplinary action against the employees, during 1965-66  
Kind of Punishment

Reasons for Punishment	Fine	Demotion	Suspension	Dismissed	Other Punishments
(i) Misappropriation of funds					
(ii) Neglect of duty					
(iii) Insubordination					
(iv) Absence without leave					

(5)

(b)

To	No. of Appeals	
	Successful	Unsuccessful
(i) Higher authorities		
(ii) Law Courts		

10. Trade Unionism

(a)	Names of the Unions of Employees	Date of Formation	No. of Members	Functioning or Defunct	Affiliated to District/State Level Unions.
(b)	Employer's Associations	Date of Formation			Affiliated to Local Body or Association at State/District Level.

Please attach a copy of the Constitution and Aims and Objects of The Employees' Unions and the Employers' Associations.

11. Please supply a copy of (i) the budget and (ii) Annual Report for 1965-66

## Appendix II

Classwise Distribution of Urban Areas and the Populations According to Type of Local Bodies in Punjab during the year 1960-61.

(Population in lakhs.)

Local Body/Class <sup>1.</sup>	Class I		Class II		Class III		Class IV	
	No.	Population	No.	Population	No.	Population	No.	Population
Municipalities	4	9.68 (80.0)	11	6.82 (100.0)	32	10.21 (86.3)	39	5.04 (94.9)
Notified/Town Area Committees	-	-	-	-	2	0.74 (6.3)	1	0.17 (3.2)
Cantonments	1	1.05 (20.0)	-	-	2	0.88 (7.4)	1	0.10 (1.9)
All Areas having urban local bodies	5	10.73 (100.0)	11	6.82 (88.5)	36	11.83 (100.0)	41	5.31 (100.0)
Urban Areas not Having any urban local body	-	-	1	0.89 (8.3)	-	-	-	-
All urban areas	5	10.73 (100.0)	12	7.71 (100.0)	36	11.83 (100.0)	41	5.31 (100.0)

Local Body/Class	Class V		Class VI		All Classes	
	No.	Population	No.	Population	No.	Population
Municipalities	50 (94.3)	3.81 (94.1)	37 (86.0)	1.35 (88.8)	173 (91.5)	36.91 (71.7)
Notified/Town Area Committees	2 (3.8)	0.16 (4.0)	-	-	5 (2.7)	1.07 (2.7)
Cantonments	1 (1.9)	0.08 (1.9)	6 (14.0)	0.17 (11.2)	11 (5.8)	2.28 (5.6)
All areas having urban local bodies	53 (100.0)	4.05 (100.0)	43 (100.0)	1.52 (100.0)	189 (95.5)	40.26 (97.8)
Urban areas not having any urban local body	-	-	-	-	1 (0.5)	0.89 (2.2)
All urban areas	53 (100.0)	4.05 (100.0)	43 (100.0)	1.52 (100.0)	190 (100.0)	41.15 (100.0)

(Figures in brackets denote percentage)

1. Population of class I urban areas is 100,000 or more; that of class II between 50,000 and 100,000; of class III between 20,000 and 49,999; of class IV between 10,000 and 19,999; of class V between 5,000 and 9,999 and of class VI below 5,000.

Appendix 111 1.

STATISTICS CONCERNING PANCHAYATI RAJ IN THE PUNJAB (March 1966)

No. of villages	21,516	Total Rural population	16,218,217
No. of Panchayats	13,486	No. of Sarpanches and Panches	91,118
No. of C.D. Blocks	229		
No. of Panchayat Samitis (one for every block except for the two blocks of Lahaul and Spiti)	227	No. of members of Panchayat Samitis	5,488
No. of Administrative Districts	20	No. of Tehsils	74
No. of Zila Parishads (one for each District except Lahaul and Spiti)	19	No. of members of Zila Parishads	813
Average population per block	74,852	Average population per Tehsil	224,961
Average population per panchayat	1,202	Average no. of villages per panchayat	1.7
Average no. of panchayats per samiti	59.6	Average no. of Samitis per Zila Parishad	12

1. Compiled by the author in the course of fieldwork in 1966.

GLOSSARY

Chaukidar	The village watchman and the first informant of occurrences in the village to the police
Gram Sabha	Village body consisting of all male and female residents of the village, of the age of 21 years and above
Gram Sewak	Village Level Worker (Servant of the village community)
Gram Sevika	Lady Village Level Worker
Hakim	Practitioner in indigenous medicine
Harijan	(Son of God) term coined by Mahatma Gandhi for untouchables
Khadi	Handspun and handwoven cloth
Lakh	One-tenth of a million
Mukhiya Sevika	Lady Social Education Organiser
Myaya Panchayat	Judicial Panchayat
Panch	Member of a Panchayat
Panchayat	(Council of five) traditional term for village local body irrespective of its size.
Panchayati Raj	(Panchayat rule) term coined by Late Mr. Nehru for 'Democratic Decentralization'
Panchayat Samiti	(Committee of Panchayats) local authority at the block level
Pradhan	Chairman of the Panchayat Samiti
Rupee	Indian currency, comprising one hundred paisa

Sarpanch	Chairman of the Panchayat
Sarvodya	A movement aiming at wellbeing of everybody.
Seva Mandal	Voluntary Service Squad
Swaraj	Self rule, independence
Tehsil	An administrative sub-division of a district, especially for revenue purposes
Up-Pradhan	Vice-chairman of the Panchayat Samiti
Up-Sarpanch	Vice-chairman of the Panchayat
Zila Parishad	Local Authority at the district level

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